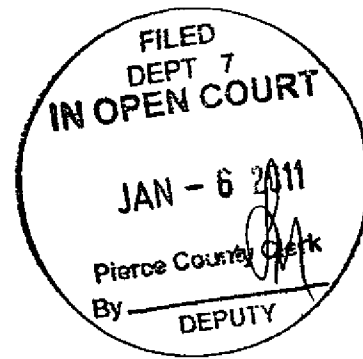


08-1-05203-8 35673385 OR 01-10-11



**IN THE SUPERIOR COURT OF WASHINGTON, COUNTY OF PIERCE**

STATE OF WASHINGTON,  
Plaintiff

Cause No: 08-1-05203-8

vs

**ORDER ON DEFENDANT'S MOTION TO  
MODIFY JUDGMENT AND SENTENCE**

STOVALL, LARRY DOUGLAS,  
Defendant

**CLERK'S ACTION REQUIRED**

THIS MATTER came before the undersigned judge of the above entitled court upon review of the defendant's motion(s) for relief from judgment filed on January 4, 2011. After reviewing the defendant's written pleadings, the court now enters the following order pursuant to CrR 7 8(c)(2):

**A. ☒ IT IS HEREBY ORDERED** that this petition is transferred to the Court of Appeals, Division II, to be considered as a personal restraint petition. The petition is being transferred because

☐ it appears to be time-barred under RCW 10 73.090;

☒ is not time-barred under RCW 10 73.090, but is untimely under CrR 7 8(a)

and therefore would be denied as an untimely motion in the trial court; or

☐ is not time barred but does not meet the criteria under CrR 7.8 (c)(2) to allow the court to retain jurisdiction for a decision on the merits.

**If box "A" above is checked, the Pierce County Superior Court Clerk shall forward a copy of this order as well as the defendant's pleadings identified above, to the Court of Appeals.**

1 **B. [ ] IT IS HEREBY ORDERED** that this court will retain consideration of the motion  
 2 because the following conditions have been met 1) the petition is not barred by the one year  
 3 time bar in RCW 10.73.090, and either:

4 [ ] the defendant has made a substantial showing that he or she is entitled to relief, or

5 [ ] the resolution of the motion will require a factual hearing

6 **IT IS FURTHERED ORDERED** that the defendant's motion shall be heard on its merits.

7 The State is directed to:

8 [ ] file a response by \_\_\_\_\_. After reviewing

9 the response, the Court will determine whether this case will be transferred to the

10 Court of Appeals, or if a hearing shall be scheduled

11 [ ] appear and show cause why the defendant's motion should not be granted. That

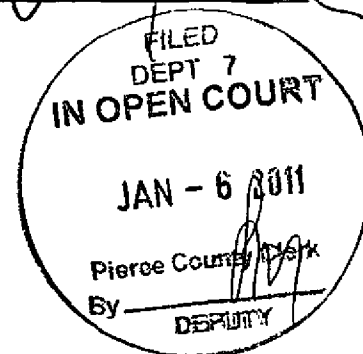
12 hearing shall be held on \_\_\_\_\_ at \_\_\_\_\_ a.m. / p.m.

13 [ ] As the defendant is in custody at the Department of Corrections, the State is further  
 14 directed to arrange for defendant's transport for that hearing.

15 If box "B" above is checked, the clerk is directed to send a copy of this Order to  
 16 the Appellate Division of the Pierce County Prosecutor's Office.

17 DATED this 6<sup>th</sup> of Jan, 2011

18  
 19  
 20 JUDGE



THE HONORABLE FREDERICK W. FLEMING, JUDGE



08-1-05203-8 35645282 DCLR 01-05-11

FILED  
IN COUNTY CLERK'S OFFICE

A.M. JAN - 4 2011 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
BY \_\_\_\_\_ DEPUTYSUPERIOR COURT OF WASHINGTON  
IN AND FOR PIERCE COUNTY

STATE OF WASHINGTON,	)	No. 08-1-05203-8
	)	
Plaintiff,	)	DEFENDANT'S MOTION AND DECLARATION
	)	TO WITHDRAW GUILTY PLEA AND DISMISSAL
vs.	)	OF THE CHARGES
	)	
LARRY D. STOVALL,	)	CrR 1.1, CrR 1.2, CrR 4.2(f), and
	)	CrR 7.8(b)
Defendant.	)	Noted For: JANUARY 14, 2011
	)	TIME: 9:00 A.M.
	)	SUA SPONTE

I. IDENTITY OF MOVING PARTY:

COMES NOW, LARRY D. STOVALL, pro se counsel, and moves the court for the relief in part II.

II. STATEMENT OF RELIEF SOUGHT:

Stovall moves the court to withdraw his plea of guilty entered December 31, 2009, at 9:00 a.m., before the Honorable Frederick W. Fleming, Judge, in Dept #7, RM #533.

This motion is based upon the file, and records in this case Declaration of Larry D. Stovall, with supporting Memorandum of Authorities.

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 1-of-11

Dated: 12/27/2010



LARRY D. STOVALL, DOC #631643  
WASHINGTON STATE PENITENTIARY  
MINIMUM SECURITY UNIT-D-8-L  
1313 North 13th Ave  
WALLA WALLA, WA 99362

# DECLARATION

## III. OATH OF DEFENDANT:

State of Washington     )  
  ) ss: Declaration of Larry D. Stovall  
County of Walla Walla     )

I, Larry Douglas Stovall, declare upon oath the following:

### (A) Lakewood Police Dept. Investigation

In the month of July 2008, a Community Service Officer of the Lakewood Police Dept. was contacted by an apartment manager living in Tilliam, about several people at an apartment rented by Jimmy Long and the possible drug activity that may be going on there.

This apartment manager we will call JANE DOE, notified the Community Service Officer, and provided him with a list of motor vehicles' license plate number that come and go during the course of the day. One of these license plate numbers happened to belong to defendant Stovall's white chevy pick up truck LPR0-73261, that was used by defendant Stovall during his many trips to his friends Jimmy Long's apartment visits.

The CSO forwarded this information to the Lakewood Drug Task Force Division, which started the investigation, as to whether suspect Stovall was back in to the drug business.

Lakewood Police Task Force monitored Stovall's movement of through out the Months of July, and October 2008, as he went from Woodbrook, to Lakewood, and Tilliam area. During this time police learned that Stovall worked during the course of the day with lawn care, and auto work.

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 2-of-11

Police also learned that Stovall's friend Jimmy Long had never been arrested before, and retired from the U.S. AirForce.

In the month of July 2008, defendant Stovall met Balinda Galye Banks, known by Lakewood Police Task Force as a "Drug Dealer" slash "Prostitute". See State vs. Banks, criminal case dockets, in (APPENDIX-A), (APPENDIX-B), (APPENDIX-C), and (APPENDIX-D). Also see Balinda Galye Banks's Criminal Case History, in --- (APPENDIX-E).

From July to October 2008, Stovall had been purchasing crack cocaine from BALINDA GALYE BANKS, and her boyfriend ANTTWAIN L. KELLY, for his own personal use, and police learned that both Stovall and Balinda Galye Banks had a on going sexual relationship through out the months of July to October 2008 during their investigation of Stovall.

On October 30, 2008, defendant Stovall, Balinda Galye Banks, and Attwain Kelly were getting high in motel on 84th & Hosmer, when she decided to leave to make some money saling crack cocaine, and finding some dates "Prostitute" is what Banks stated before leaving the motel room at about 1:00 a.m..

#### **(B) Police Misconduct**

On October 31, 2008, between 1:00 am and 10:00 am informant Balinda Galye Banks got herself busted "arrested" for prosecution, and managed to convince Jon Walter of the Lakewood Police Dept. that she knew of a person by the name Larry that she could purchase crack cocaine from to work off her MISDEMEANOR PROSTITUTION CHARGE. The whole time police were unaware of the fact that Banks had in her underwear a pill bottle full of crack cocaine that she needed to -- get off her person, because had she not worked the deal out with Lakewood Policar, and case agent Jon Walter, informant Balinda Galye Banks would have been arrest for the "Prostitution Charge" and eventually upon arrival at the jail been searched and the pill bottle Banks had in her underwear would have been discovered and she would have been charge for possession of crack cocaine,

#### **(C) Informant Misconduct**

Informant Banks called Stovall, and Anttwain Kelly with the use of a cellphone belonging to agent Jon Walter while Stovall and Attwain were getting on a MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 3-of-11

Pierce County Transit Bus that was headed southbound towards Down Town, where going to connect with another bus to go pick up another vehicle to go work. However, Banks was able to convince Stovall, and Anttwain Kelly to depart from the bus in front of LOWE'S HARDWARE STORE on 84th & Hosmer St. Lakewood.

On October 31, 2008, at about 11:15 a.m. Banks got out of a new pickup truck, that was driven by case agent Walter of the Lakewood Police Dept.

When Banks exited the truck, and walked down the hill from the LOWE'S parking lot she entered the bus stop, and handed her boy Anttwain Kelly a pill bottle she had pulled out of her underwear which contain crack cocaine rocks, and asked him to take out five crack rocks, and hand it to her, and handed Kelly a \$100.00 dollars and told him to hide both in the tall grass by the bus stop.

While at the bus stop, informant Banks told Stovall and Anttwain Kelly that she got busted "arrested" that morning for prostitution, and that she worked out a deal, and she need to get the pill bottle of crack cocaine off of her, - and that the police were watching them.

Anttwain Kelly handed informant Banks five cocaine rocks, that she put in her mouth, and left walking back up the hill to the LOWE'S parking lot where - case agent Walter of the Lakewood police dept. waited.

Upon informant Banks arrival to the case agent Walter at the truck, she did hand him one tiny piece of crack cocaine that weighed \_\_\_, that she had taken out of her mouth. See Police Report, dated October 31, 2008, in (APPENDIX-F). Cheating the Police out of four rocks of crack cocaine, and tempering with the evidence in violation 9A.72.150. See Police Report of Jon Walter, dated October 31, 2008, in (APPENDIX-F). Also DESTROY EVIDENCE RCW 9A.72.150(1), (a). and violating her contract with Lakewood Police Dept. case agent Jon Walter of the Lakewood Police Dept. and providing him with tainted evidence for use in a criminal investigation and prosecution of State vs. Stovall Pierce County case # 08-1-05203-8

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 4-of-11

When Stovall and Anttwain Kelly were picked up by William W. Watson and his friend Tory Herron, in a white pick up truck owned by Stovall. When the truck - arrived, Anttwain Kelly got in the front seat, and when he notice the police at the corner intersection coming his way, he put the pill bottle full of crack, - and the mark police money in the glove box of the truck, and went to the back - of the truck and got in.

When Mr. Watson pulled off from the bus stop, he was pulled over by police, and detained Stovall, Watson, Herron, and Attwain Kelly for ten minutes before placing Stovall under arrest, and releasing Watson, Attwain, and Herron.

Stovall right then was taken to the Pierce County Jail where he was booked for unlawful possession with in tent to deliver a controlled substance, also -- unlawful possession of a controlled substance, and a bus zone violation.

**(D) FIRST INEFFECTIVE ASSISTANCE OF  
TRIAL COUNSEL MENG LI CHE, BAR #32364**

On November 3, 2008 Stovall entered a plea of not guilty at his arraignment to the charges of unlawful delivery of a controlled substance, unlawful possession of a controlled substance, and the bus stop zone violation as charged by - the state's information.

Stovall's Pierce County Criminal case was assigned to MANG LI CHE of the -- office of Public Defense-Conflict Office, located at 911 Tacoma Ave So. Tacoma, Wa 98402-3696. First trial counsel Mang Li Che entered the State vs. Stovall -- case on December 12, 2008. See Pierce County Criminal Docket, in (APPENDIX-G).

On December 2, 2008, at 8:30 am Stovall appeared at the deputy prosecuting pre-trial conference hearing, where he rejected the state's offer of 60 months in prison, with credit for time served, and the dismissal of the possession with intent to deliver charge and buz zone violation.

Stovall informed first trial counsel Mang Li Che who the informant was, what how she set him up with the police, and that she had crack cocaine in her -- underwear when informant Balinda Galye Banks met with Stovall and Antwain Kelly at the bus stop, the police buy money, the tempering with the evidence by the -

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 5-of-11

the informant, and the fact that her boyfriend Anttwain Kelly had the bottle -- and the police mark money but she didn't seem to care about these matters, only Stovall accepting the plea deal offered by the state.

On January 28, 2009, the state filed it's witness list. in (APPENDIX-H). When Stovall seen the state's witness list, Stovall informed trial counsel Meng Li Che that the address for William W. Watson was wrong, and that the address -- for Anttwain Kelly was wrong too.

On February 1, 2009, Stovall provided first trial counsel Meng Li Che the correct addresses for William W. Watson, Anttwain L. Kelly, Tory Herron, and the informant Balinda Galye Banks, and asked that she contact them all for inter -- views and to issues subpoenas also for these potential witnesses.

On February 9, 2009, first trial counsel Meng Li Che filed with the court a witness list for the defense, in (APPENDIX-I). In spite of Meng Li Che having -- the correct addresses for all the witnesses mentioned above dealing with the -- case and Stovall defense, Meng Li Che used the incorrect addresses for Anttwain Kelly, and William W. Watson, as both lived in Tacoma, Washington, at a proper and correct Tacoma address. The address Meng Li Che used on the witness list is very obviously wrong and incorrect for a Tacoma address.

On March 1, 2009, first trial counsel Meng Li Che filed with the court subpoenas with the an incorrect address for William W. Watson, who live even now -- 9034 Pacific Ave Apt. #C-1, Tacoma, Wa. 98444, for more then three years, or -- since 2006. The address on the subpoena for Anttwain Kelly was also incorrect, and used these incorrect address seeking to pressure Stovall in to a plea deal with the state, by this action, as defense counsel never attempted to contact -- by phone and mail any of the witnesses according them. See Supboena For Attwain Kelly, in (APPENDIX-J). Any one who has ever lived in Tacoma more than a year -- there no such address. First trial counsel Meng Li Che has lived most of her life in Tacoma, according to Meng Li Che, but after receiving the correct address, she sent out a subpoenas to the wrong and incorrect address fully aware he would not receive it.

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 6-of-11



First trial counsel Meng Li Che sought continues on the following dates: 12/17/09, 12/30/09, 02/05/09, 02/05/09, 02/09/09, 04/30/09, and 04/13/09 claiming to the court to be seeking an interview with the informant Balinda Galye -- Banks, and possible others, to include, William W. Watson, Anttwin L. Kelly, and Torn Herron. However, during the assignment of first counsel Meng Li Che no such interview ever taken place in person or by phone according to witnesses.

On February 9, 2009 in an order continue trial date, first trial counsel lied on the order, claiming to have filed and had issued two subpoenas for witnesses. See Order Continuing Trial, in (APPENDIX-K). However, the Pierce County Criminal case docket clearly reveals that first counsel Meng Li Che had not filed with the court any subpoenas until APRIL 01, 2009, for witnesses KELLY, - HERRON, and informant Balinda Galye Banks. See Pierce County Criminal case docket, in (APPENDIX-G).

Before the witnesses could get their subpoenas, first counsel Meng Li Che, in attempt to turn the witnesses against defendant Stovall, had material witness warrants issued. See Material Warrants issued the very next day, APRIL 2, 2009. See Material Witness Warrants, in (APPENDIX-E), (APPENDIX-M), and (APPENDIX-N), in attempt to turn the witnesses against defenant Stovall for putting in jail, depriving Stovall support, and forcing Stovall in to a plea deal with the state were the inconcert acts of MENG LI CHE, in violation of Stovall's due process, and in violation of the rules of proffessional conduct for attorneys.

On April 20, 2009, Stovall informed the court "SUSAN K. SERKO," that Stovall was trained in the law, and was a paralegal, and that he wanted to file his motion To Proceed Pro Se, his Notice of Motion, and Memorandum In Support and Order To Procced Pro Se. See Pierce County Superior Court Case Docket, in (APPENDIX-G).

**(E) SECOND INEFFECTIVE ASSISTANCE OF  
TRIAL COUNSEL SHANE M. SILVERTHORN, BAR #28223**

On April 20, 2009, Judge Susan K. Serko, enter order of continues of trial, and filled Stovall's request for stand by counsel. The case was assigned to Sh-

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 7-of-11

ane M. Silverthorn. Stovall informed second trial counsel the facts of the case in full details with in five working days, and asked stand by counsel to move - the court for a suppression hearing under CrR 3.6 of the court rules, but he -- acted like he didn't understand what it was that Stovall was trying to do.

Stovall provided Shane M. Silverthorn the addresses to all the witnesses in the case, to include William W. Watson, Anttwain L. Kelly, Tory Herron, and the informant Balinda Galye Banks, and asked that he interview them and subpoenas - them for trial. However, second trial counsel Shane M. Silverthorn, like first trial counsel Meng Li Che, he refused to interview the informant, and her boy - friend Anttwain L. Kelly, but interviewed William W. Watson, and Tory Herron in Judge Fleming's courtroom.

On April 23, 2009, Stovall filed by mail, a Notice Of Motion, and a Motion To Suppress. See Pierce County Superior Court Case Docket, in (APPENDIX-G). On April 23, 2009, Stovall also asked second trial counsel Shane M. Silverthorn to complete the Memorandum of Authorities In Support of the Motion To Suppress with the details and facts provided him by Stovall. Silverthorn continued to act like he didn't understand what I needed him to do, and suggested Stovall work - out a deal with the state, and that he wasn't going to file a Memorandum or re-note the motion to suppress the evidence the informant tempered with to the court's attention.

On May 12, 2009, Stovall was forced to make a plea deal with the state do to inconcert actions of second trial counsel Shane M. Silverthorn, and his refusal to function as counsel under the constitution of both State and Federal standards.

On May 12, 2009, Stovall was forced to make a deal with the state for 84 -- months in prison with credit for time served, and the return of two cellphones and to plead guilty to all the charges filed in the case: unlawful delivery of a controlled substance, unlawful possession of a controlled substance both crack cocaine, and the bus stop zone violation, and the forfeiture of \$231.00 dollars.

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 8-of-11

On December 31, 2009, Stovall learned that second trial counsel Shane M. -- Silverthorn did not write all the facts of the plea deal on the STATEMENT OF -- DEFENDANT ON PLEA OF GUILTY, which allows the state to renege on the plea deal -- originally agreed upon. Which included the return of two cellphones and being able to argue for DOSA, with no rebuttal from state. Here, the state did not keep it's deal and did argue against DOSA, and refused to return two cellphones that didn't take apart of the criminal charged.

**(F) JUDICIAL MISCONDUCT**

On December 1, 2009, defendant Stovall pro se filed with this court the following documents for this court consideration and determination: 1.) Notice of Motion, 2.) Motion To Discharge Counsel, 3.) Memorandum Discharge Counsel, 4.) Memorandum In Support Request Sentencing, 5.) Motion For Specific Performance, 6.) Declaratio of George Hendricks, 7.) Declaration of Michael Allen, 8.) - Declaration of Michael Allen, 9.) Declaration of Lee Petry. These documents were noted on the criminal case motion calendar for: \_\_\_\_\_, but the court chose to totally disregarded them, dispite of being properly filed. See Pierce County Criminal Case Docket, in (APPENDIX-G).

On October 13, 2010, Stovall pro se filed for consideration and determination the following documents: 1.) Notice of Motion, and 2.) Motion For Criminal Case Documents For Appeal. These documents were noted on the criminal case calendar for: \_\_\_\_\_, but this court totally disregarded them, dispite being properly filed. See Pierce County Criminal Case Docket, in (APPENDIX-G).

On January 30, 2010, Stovall filed a complaint with the Commission On Judicial Conduct about the matter mentioned above. See Complaint, in (Attachment-A).

On November 3, 2009, Stovall filed with the office of Disciplinary Counsel at the Washington State Bar Association, a grievance against a Shane M. Silverthorn about his failure to properly represented Stovall based on counsel decr-

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 9-of-11

bed in the constitution, in (Attachment-B). Also see Grievance Against James H. Curtis, in (Attachment-C). Both grievance were removed from the court file.

**(G) COURT REPORTER MISCONDUCT**

On January 27, 2010, defendant Stovall pro se filed with the an appeal.

On March 1, 2010, the trial court entered an order, granting defendant Stovall indigent status, which include being able to -- obtain the following with out cost: Verbatim Report of Proceeding the "Clerk's Papers", and any and all criminal case documents or material from the case file for review before the court of appeal. See Pierce County Superior Court Case Docket, in (APPENDIX-G). -- and Order of Indigency, in (APPENDIX-Ø).

On April 12, 2010, appellate counsel Valerie Marushige filed with the trial court and the court of Appeals Division II, the -- Statement of Arrangments, and the Designation Clerk Papers. According to the Court of Appeals case docket, these request where -- made in that court April 2, 2010. According to the trial court -- case docket the court reporter prepared the clerk's papers and -- the Verbatim Report of Proceedings where sent "MAILED OUT" to parties on April 26, 2010. However, appllate Stovall never received the "Clerk's Papers," but did received several proceedings of the Verbatim Report of Proceedings that did not have the printed name of the court reporter on them. See RAP 9.2(e),(F).

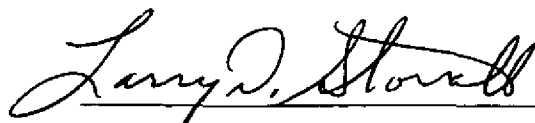
Neither where the documents signed by the court reporter and this raise issues as to whether the documents are true and corre-

MOTION AND DECLARATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 10-of-11

ct. As it common practice to follow the rules, and procedures.

I, Larry Douglas Stovall, certify and declare under the penalty of perjury of the laws of the State of Washington, that the statements made above are true and correct, and based on my personal knowledge and belief therein. RCW 9A.72.-085.

Dated: December 27, 2010  
Place: Walla Walla County



LARRY DOUGLAS STOVALL, PRO SE COUNSEL  
WASHINGTON STATE PENITENTIARY  
MINIMUM SECURITY UNIT-D-8-L  
1313 N. 13th Ave  
WALLA WALLA, WA 99362

#### CERTIFICATE OF SERVICE BY MAIL

I, Larry D. Stovall, certify that on DECEMBER 27, 2010, I deposited this document, and two copies thereof, in the interal mail system of Washington State Penitentiary, Minimum Security Unit, and made arrangement for postage, addressed to:

1. Kevin Stock, Clerk  
Pierce County Superior Court  
930 Tacoma Ave S. RM#110  
Tacoma, Wa 98402

2. Frederick W. Fleming, Judge  
Pierce County Superior Court  
930 Tacoma Ave S. Dept #7, RM#533  
Tacoma, Wa 98402

3. Kathleen Proctor, Deputy  
Pierce Co. Prosecuting Attn. Office  
930 Tacoma Ave S. RM#946  
Tacoma, Wa 98402-2171

I ceritfy under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: 12/27/2010  
Place: Walla Walla County



Larry D. Stovall, Doc #631643

MOTION AND DECLARATATION TO WITHDRAW  
GUILTY PLEA AND DISMISSAL OF THE CHARGES PAGE 11-of-11

INFORMANT BALINDA GALYE BANKS

CRIMINAL CASE DOCKET

CASE #91-1-02992-1

(APPENDIX-A)

2

## Pierce County Superior Court Criminal Case 91-1-02992-1



Defendant: **BELINDA GAYLE BANKS**  
 Access: Public  
 Jurisdiction: SUPERIOR CT - PIERCE CTY  
 Initial Arrest Date: 08/13/1991  
 Initial Bail Amount: \$2,500.00

**Attorneys**

Type	Name	Firm	Role
Prosecutor	STEVEN O. MERRIVAL	Prosecuting Attorney	LEAD C
Defense	ROBERT W. SPELLMEYER	Pierce County Dept of Assigned Counsel	LEAD C

**Charges**

Count	Type	Description	RCW	Disposition	S
1	Original	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b><u>69.50.401(a)(1)(i)</u></b>		C
	Final	UNLAWFUL USE OF DRUG PARAPHERNALIA	<b><u>69.50.102,</u></b> <b><u>69.50.412(1)</u></b>	PLED GLTY LESSER CHG 0	

**Filings { e-file document }**

Filing Date	Filing	Access	Pages	Mir
01/07/1991	STATEMENT OF DEFENDANT, PLEA GUILTY	Public		78
01/07/1991	JUDGMENT & ORDER DEFERRING SENTENCE	Public		78
08/14/1991	INFORMATION	Public		
08/14/1991	AFFIDAVIT/DETERMINE PROB CAUSE	Public		
08/14/1991	REPORT DOC	Public		
08/14/1991	ORDER TO APPEAR FOR PRETRIAL HRG	Public		
08/14/1991	ORDER ESTABLISHING COND. OF RELEASE	Public		73
08/14/1991	ARRAIGNMENT	Public		
08/15/1991	INFORMATION FILED	Public		
08/22/1991	BAIL BOND	Public		73
08/29/1991	ORDER SETTING TRIAL DATE	Public		
08/29/1991		Public		
10/01/1991	OMNIBUS ORDER	Public		75
10/24/1991	STATE S LIST OF WITNESSES	Public		
10/30/1991	WAIVER OF SPEEDY TRIAL	Public		
10/30/1991	ORD FOR CONTINUANCE OF TRIAL DATE	Public		
10/30/1991	STATEMENT OF PROSECUTING ATTORNEY	Public		
12/23/1991	ORDER SETTING TRIAL DATE	Public		

01/07/1992 STATEMENT OF PROSECUTING ATTORNEY

Public

01/07/1992 MOTION HEARING

Public

**Proceedings**

Date	Judge	Dept	Type	Out
08/14/1991 01:30 PM	CRIMINAL DIVISION 2	CD2	ARRAIGNMENT	HEL
08/29/1991 09:00 AM	CRIMINAL DIVISION 2	CD2	PRE-TRIAL CONFERENCE	HEL
09/26/1991 09:00 AM	CRIMINAL DIVISION 2	CD2	OMNIBUS HEARING	CON
10/01/1991 09:00 AM	CRIMINAL DIVISION 2	CD2	OMNIBUS HEARING	HEL
10/30/1991 09:00 AM	CRIMINAL DIVISION 2	CD2	JURY TRIAL	CON
12/12/1991 09:00 AM	CRIMINAL DIVISION 2	CD2	PLEA DATE	CON
01/07/1992 09:00 AM	CRIMINAL DIVISION 2	CD2	PLEA DATE	HEL
01/15/1992 09:00 AM	CRIMINAL DIVISION 2	CD2	JURY TRIAL	CAN

**Incidents**

Incident Number	Law Enforcement Agency	Offense Date
912250800	TACOMA POLICE DEPARTMENT	08/13/1991

**Superior Court Co-Defendants**

Cause Number	Defendant
<u>91-1-02991-3</u>	DARIAN DEMETRUS LIVINGSTON

**Judgments**

Cause #	Status	Signed	Effective
<u>92-9-00145-5</u>	OPEN	E. ALBERT MORRISON on 01/07/1992	01/07/1992

- 
- Hearing and location information displayed in this calendar is subject to change without not changes to this information after the creation date and time may not display in current vers
  - Confidential cases and Juvenile Offender proceeding information is not displayed on this cal Confidential case types are: Adoption, Paternity, Involuntary Commitment, Dependency, an
  - The names provided in this calendar cannot be associated with any particular individuals wi individual case research.
  - Neither the court nor clerk makes any representation as to the accuracy and completeness except for court purposes.

Created: Thursday April 16, 2009 8:22AM

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INFORMANT BALINDA G. BANKS

CRIMINAL CASE DOCKET

CASE #99-1-05128-1

(APPEDIX-B)

3

**Pierce County Superior Court Criminal Case 99-1-05128-1**

Defendant: **BELINDA GAYLE BANKS**  
 Access: Public  
 Jurisdiction: SUPERIOR CT - PIERCE CTY  
 Initial Arrest Date: 11/10/1999  
 Initial Bail Amount: \$2,500.00

**Attorneys**

Type	Name	Firm	Role
Prosecutor	STEVEN O. MERRIVAL	Prosecuting Attorney	LEAD C
Defense	MICHAEL G. MCNERTHNEY	Pierce County Dept of Assigned Counsel	LEAD C

**Charges**

Count	Type	Description	RCW	Disposition	S
1	Original	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE	<b>69.50.401 (d)</b>		
	Final	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE	<b>69.50.401 (d)</b>	PLED GLTY AS CHGD	1
2	Original	OBSTRUCTING A LAW ENFORCEMENT OFFICER	<b>9A.76.020 (1)</b>		
	Final	OBSTRUCTING A LAW ENFORCEMENT OFFICER	<b>9A.76.020 (1)</b>	DISM/AMEND INF FILED	
3	Original	NO VALID OPERATOR'S LICENSE - DRIVER'S LICENSE REQUIRED	<b>46.20.005</b>		
	Final	NO VALID OPERATOR'S LICENSE - DRIVER'S LICENSE REQUIRED	<b>46.20.005</b>	DISM/AMEND INF FILED	

**Filings { e-file document }**

Filing Date	Filing	Access	Pages	Micro
11/10/1999	INFORMATION	Public		193!
11/10/1999	AFFIDAVIT/DECLARATION PROB CAUSE	Public		193!
11/10/1999	PRE-TRIAL REPORT	Public		
11/10/1999	REPORT BTC	Public		
11/10/1999	ORDER TO APPEAR PRETRIAL HRG/CONF	Public		
11/10/1999	ORDER ESTABLISHING COND. OF RELEASE	Public		193!
11/10/1999	ORDER ESTABLISHING COND. ADDITIONAL	Public		193!
11/10/1999	INITIAL ARRAIGNMENT	Public		
11/15/1999	PRE-TRIAL REPORT	Public		
11/17/1999	ORDER SETTING TRIAL DATE /PLEA	Public		
11/18/1999	GUILTY PLEA AND SENTENCING HEARING	Public		

11/19/1999	STATEMENT OF PROSECUTING ATTORNEY	Public	194:
11/19/1999	STATEMENT OF DEFENDANT, PLEA GUILTY	Public	194:
11/19/1999	JUDGMENT AND SENTENCE	Public	194:
11/19/1999	NOTICE OF COLLATERAL ATTACK	Public	194:
11/19/1999	INFORMATION -OFFENDER SCORE WRKSHT	Public	
12/08/1999	MOTION & AFFIDAVIT BENCH WARRANT	Public	194:
12/08/1999	VIOLATION REPORT	Public	
12/17/1999	ORDER DIR ISSUANCE OF BENCH WARRANT	Public	
12/17/1999	BENCH WARRANT *QUASHED*	Public	
12/30/1999	ORDER MODIFYING SENTENCE	Public	195:
01/12/2000	MOTION & AFFIDAVIT BENCH WARRANT	Public	195:
01/12/2000	REPORT VIOLATION	Public	
01/13/2000	ORDER DIR ISSUANCE OF BENCH WARRANT	Public	
01/13/2000	BENCH WARRANT *QUASHED*	Public	
01/14/2000	SHERIFF S RETURN ON A BENCH WARRANT	Public	195:
02/07/2000	ORDER FOR HEARING REVOCATION	Public	
02/08/2000	ORDER FOR HEARING STRIKE	Public	
02/08/2000	SHOW CAUSE	Public	
02/09/2000	SHERIFF S RETURN ON A BENCH WARRANT	Public	196:
02/11/2000	MOTION HEARING	Public	
02/11/2000	ORDER MODIFYING SENTENCE	Public	196:
02/23/2000	MOTION & AFFIDAVIT BENCH WARRANT	Public	
03/02/2000	ORDER DIR ISSUANCE OF BENCH WARRANT	Public	
03/02/2000	BENCH WARRANT *QUASHED*	Public	
03/07/2000	ORDER FOR HEARING QUASH	Public	
03/29/2000	VIOLATION REPORT	Public	
04/21/2000	ORDER FOR HEARING QUASH	Public	
05/31/2000	ORDER FOR HEARING QUASH	Public	
06/13/2000	ORDER FOR HEARING REVOCATION	Public	
06/13/2000	MOTION HEARING	Public	
06/16/2000	MOTION HEARING	Public	
06/16/2000	ORDER MODIFYING SENTENCE	Public	201:
07/06/2000	ORDER MODIFYING SENTENCE	Public	202:
07/13/2000	SHERIFF S RETURN ON A BENCH WARRANT	Public	202:
07/25/2000	PRELIMINARY APPEARANCE	Public	
07/19/2002	CERTIFICATE AND ORDER OF DISCHARGE	Public	3

**Proceedings**

Date	Judge	Dept	Type	Outcome
11/10/1999 01:30 PM	CRIMINAL DIVISION 2	CD2	ARRAIGNMENT	ARRAIGNED
11/16/1999 08:30 AM	CRIMINAL DIVISION 2	CD2	PRE-TRIAL CONFERENCE	HELD
11/19/1999 09:30 AM	CRIMINAL DIVISION 4	CD4	PLEA DATE	PLEA & SENT
12/17/1999 09:00 AM	CRIMINAL DIVISION 3	CD3	PROB VIOL-BENCH WARR	BENCH WAR SERVED
12/30/1999 01:30 PM	CRIMINAL DIVISION 2	CD2	PRELIMINARY - BENCH WARRANT	HELD
01/10/2000 09:00 AM	CRIMINAL DIVISION 2	CD2	JURY TRIAL	CANCELLED
01/13/2000 09:00 AM	CRIMINAL DIVISION 2	CD2	BENCH WARRANT-FTA	BENCH WAR SERVED
02/07/2000 01:30 PM	CRIMINAL DIVISION 2	CD2	PRELIMINARY - BENCH WARRANT	HELD
02/11/2000 08:00 AM	CRIMINAL DIVISION 3	CD3	SHOW CAUSE (REVOCATION)	HELD
02/16/2000 09:30 AM	BREAK THE CYCLE - CALENDAR	BTC	VIOLATION HEARING	CANCELLED
03/02/2000 09:00 AM	CRIMINAL DIVISION 2	CD2	BENCH WARRANT-FTA	BNCH WARR QUASHED
03/29/2000 01:30 PM	CRIMINAL DIVISION 2	CD2	QUASH	NOT HELD
05/16/2000 01:30 PM	CRIMINAL DIVISION 2	CD2	QUASH	CONTINUED
06/13/2000 09:00 AM	CRIMINAL DIVISION 3	CD3	QUASH	HELD
06/16/2000 08:00 AM	CRIMINAL DIVISION PROB VIOLATION	CDPV	SHOW CAUSE (REVOCATION)	HELD
07/06/2000 09:00 AM	CRIMINAL DIVISION 3	CD3	PRELIMINARY HEARING (REV)	HELD

**Incidents**

Incident Number	Law Enforcement Agency	Offense Date
993140052	TACOMA POLICE DEPARTMENT	11/10/1999

**Superior Court Co-Defendants**

Cause Number	Defendant
--------------	-----------

**Judgments**

Cause #	Status	Signed	Effective
<u>99-9-12352-3</u>	OPEN	NILE E. AUBREY on 11/19/1999	11/19/1999

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individual case research.
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INFORMANT BALINDA G. BANKS

CRIMINAL CASE DOCKET

CASE # 04-1-05177-2

(APPENDIX-C)

(14)

## Pierce County Superior Court Criminal Case 04-1-05177-2



Defendant: **BELINDA GAYLE BANKS**  
 Access: Public  
 Jurisdiction: SUPERIOR CT - PIERCE CTY  
 Initial Arrest Date: 11/04/2004

**Attorneys**

Type	Name	Firm	Role
Prosecutor	Dennis Wayne Ashman		LEAD C
Defense	ROBERT W. SPELLMEYER	Pierce County Dept of Assigned Counsel	LEAD C

**Charges**

Count	Type	Description	RCW	Disposition
1	Original	POSSESSING STOLEN PROPERTY IN THE FIRST DEGREE	<b>9A.56.140(1), 9A.56.150(1)</b>	
	Final	POSSESSING STOLEN PROPERTY IN THE FIRST DEGREE	<b>9A.56.140(1), 9A.56.150(1)</b>	DISM/COMPLIED DRG CRT PROGRAM
2	Original	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE	<b>69.50.4013(1)</b>	
	Final	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE	<b>69.50.4013(1)</b>	DISM/COMPLIED DRG CRT PROGRAM

**Filings** { e-file document }

Filing Date	Filing	Access	Pages	
11/05/2004	INFORMATION & PROBABLE CAUSE	Public	3	
11/05/2004	PRE-TRIAL ELIGIBILTY REPORT	Sealed	2	
11/05/2004	RECEIPT OF DISCOVERY	Public	1	
11/05/2004	ORDER SETTING TRIAL DATE	Public	1	
11/05/2004	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2	
11/05/2004	ORDER ESTABLISHING BTC CONDITIONS	Public	1	
11/08/2004	NOTICE OF APPEARANCE	Public	1	
11/18/2004	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2	
11/18/2004	ORDER OF PARTICIPATION	Public	1	
11/18/2004	AGREEMENT	Public	3	
11/18/2004	NOTICE TO DEFENDANTS	Public	3	
12/07/2004	ORDER FOR HEARING RE: STATUS	Public	1	
01/13/2005	ORDER FOR HEARING RE: STATUS	Public	1	
02/10/2005	ORDER FOR HEARING RE: STATUS	Public	1	
03/24/2005	ORDER FOR HEARING RE: STATUS	Public	1	

05/16/2005	ORDER FOR HEARING RE: STATUS	Public	1
06/27/2005	ORDER FOR HEARING RE: STATUS	Public	1
07/26/2005	ORDER FOR HEARING RE: STATUS	Public	1
09/19/2005	ORDER FOR HEARING RE: STATUS	Public	1
12/05/2005	ORDER FOR HEARING RE: STATUS	Public	1
12/14/2005	CLERK'S MINUTE ENTRY	Public	1
12/14/2005	ORDER OF DISMISSAL WITH PREJUDICE	Public	2

**Proceedings**

Date	Judge	Dept	Type	Outcome
11/05/2004 01:30 PM	CRIMINAL DIVISION 1	CD1	ARRAIGNMENT	ARRAIGNED
11/18/2004 01:00 PM	CRIMINAL DIVISION 1	CD1	PRE-TRIAL CONFERENCE	
11/18/2004 01:15 PM	DRUG COURT		DRUG SCREENING FOR DRUG COURT	ACCEPTED INT COURT
12/07/2004 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
12/16/2004 08:30 AM	CRIMINAL DIVISION- PRESIDING JUDGE	CDPJ	JURY TRIAL	CANCELLED
01/13/2005 09:30 AM	DRUG COURT		DRUG REVIEW HEARING	HELD
02/10/2005 09:30 AM	DRUG COURT		DRUG REVIEW HEARING	HELD
03/24/2005 09:30 AM	DRUG COURT		DRUG REVIEW HEARING	HELD
05/12/2005 09:30 AM	DRUG COURT		DRUG REVIEW HEARING	CONTINUED
05/16/2005 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
06/27/2005 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
07/26/2005 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
09/19/2005 09:30 AM	DRUG COURT		DRUG REVIEW HEARING	HELD
10/24/2005 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
12/05/2005 01:30 PM	DRUG COURT		DRUG REVIEW HEARING	HELD
12/14/2005 01:30 PM	DRUG COURT		DRUG GRADUATION DC	COMPLETED D

**Incidents**

Incident Number	Law Enforcement Agency	Offense Date
043090510	TACOMA POLICE DEPARTMENT	11/04/2004

**Superior Court Co-Defendants**

Cause Number	Defendant
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**Judgments**

Cause #	Status	Signed	Effective	File
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INFORMANT BALINDA G. BANKS

CRIMINAL CASE DOCKET

CASE #06-1-03868-3

(APPENDIX-D)

(6)

## Pierce County Superior Court Criminal Case 06-1-03868-3



Defendant: **BELINDA GAYLE BANKS**  
 Access: Public  
 Jurisdiction: SUPERIOR CT - PIERCE CTY  
 Initial Arrest Date: 08/17/2006  
 Initial Bail Amount: \$10,000.00

**Attorneys**

Type	Name	Firm	Role
Prosecutor	MIKE SOMMERFELD	Prosecuting Attorney	LEAD COUNSEL
Defense	JOHN T. DOHERTY	Doherty & Fleury	LEAD COUNSEL

**Charges**

Count	Type	Description	RCW	Disposition
1	Original	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b>69.50.401(1)(2)(a)</b>	
	Final	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b>69.50.401(1)(2)(a)</b>	PLED GLTY AS CHGD (
5	Original	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DELIVER	<b>69.50.401(1)(2)(a)</b>	
	Final	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DELIVER	<b>69.50.401(1)(2)(a)</b>	PLED GLTY AS CHGD (

**Filings** { e-file document }

Filing Date	Filing	Access	Pages
08/18/2006	PRE-TRIAL ELIGIBILITY REPORT	Sealed	2
08/18/2006	ORDER SETTING TRIAL DATE	Public	1
08/18/2006	ORDER ESTABLISHING BTC CONDITIONS	Public	1
08/18/2006	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2
08/18/2006	INFORMATION	Public	2
08/18/2006	AFFIDAVIT/DETERMINATION FOR PROBABLE CAUSE	Public	2
08/21/2006	NOTICE OF APPEARANCE	Public	1
08/30/2006	ORDER FOR HEARING	Public	1
09/06/2006	ORDER FOR HEARING	Public	1
09/08/2006	RECEIPT OF DISCOVERY	Public	1
09/12/2006	ORDER SETTING TRIAL DATE	Public	1
09/21/2006	STATEMENT OF DEFENDANT ON PLEA OF GUILTY	Public	4
09/21/2006	STIPULATION TO PRIOR RECORD	Public	3
09/21/2006	JUDGMENT & SENTENCE & WARRANT OF COMMITMENT DOC	Public	13.
09/21/2006		Public	2

## NOTICE/ADVICE OF COLLATERAL ATTACK

09/21/2006	ORDER FOR BIOLOGICAL SAMPLE	Public	2
03/27/2008	REPORT DOC CLOSURE 5990	Public	5
04/07/2008	NOTICE OF DELINQUENCY	Public	1
09/26/2008	ASSIGNMENT OF JUDGMENT	Public	1

**Proceedings**

Date	Judge	Dept	Type	
08/18/2006 01:30 PM	CRIMINAL DIVISION 2	CD2	ARRAIGNMENT	C
08/29/2006 01:00 PM	CRIMINAL DIVISION 2	CD2	PRE-TRIAL CONFERENCE	C
09/06/2006 01:00 PM	CRIMINAL DIVISION 2	CD2	PRE-TRIAL CONFERENCE	F
09/12/2006 08:30 AM	CRIMINAL DIVISION 2	CD2	OMNIBUS HEARING	C
09/21/2006 09:00 AM	CRIMINAL DIVISION 2	CD2	PLEA DATE	F
10/10/2006 08:30 AM	CRIMINAL DIVISION- PRESIDING JUDGE	CDPJ	JURY TRIAL	C

**Incidents**

Incident Number	Law Enforcement Agency	Offense Date
062290549	TACOMA POLICE DEPARTMENT	08/17/2006

**Superior Court Co-Defendants**

Cause Number	Defendant
<u>06-1-03869-1</u>	PATRICK F. DOUGLAS
<u>06-1-03873-0</u>	JOHN DION HERRING

**Judgments**

Cause #	Status	Signed	Effective	File
<u>06-9-10976-8</u>	OPEN as of 09/21/2006	SUSAN K. SERKO on 09/21/2006	09/21/2006	09

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INFORMANT BALINDA G. BANKS  
CRIMINAL CASE HISTORY COMPILATION  
(APPENDIX-E)

01/27/2009 10:48 FAX 2537803601

PIERCE COUNTY PROS

+ DAC

004/007

**Criminal History Compilation**

Cause Number: WITNESS FOR CRIMINAL JUSTICE INVESTIGATION

324060

CHRI#

JUVIS #

DOL#: WA

BANKS, BELINDA GAYLE

AKA: BELINDA GAIL BANKS

Person ID:

**JUVENILE FELONY CONVICTIONS**

No Known Juvenile Felony Convictions

**JUVENILE MISDEMEANOR CONVICTIONS**

No Known Juvenile Misdemeanor Convictions

**ADULT FELONY CONVICTIONS**

<u>Jurisdiction/Charge</u>	<u>Offense D/Dispo Dt</u>	<u>Disposition</u>
99-1-03120-1/SUPERIOR CT - PIERCE CTY VUCSA - UPCS COCAINE	11-10-99/ 11-19-99	90 PCJ W/CR 90; 12M COMM CUST
06-1-03068-3/SUPERIOR CT - PIERCE CTY UPCS X2	08-17-06/ 08-21-06	12 MOS, 12 MOS COMM CUST
06-1-02414-0/SUPERIOR CT - PIERCE CTY POSS STOLEN VEHICLE	05-19-08/ 06-09-08	4 MO JAIL W/CR 21 DYS; BAL TO BE SERVED BTC FACILITY

**ADULT MISDEMEANOR CONVICTIONS**

<u>Jurisdiction/Charge</u>	<u>Offense D/Dispo Dt</u>	<u>Disposition</u>
89-1-03287-4/SUPERIOR CT - PIERCE CTY DRUG PARAPHERNALIA	10-07-89/ 9	
800008911/TACOMA MUNICIPAL COURT PROSTITUTION-SOLICIT	05-31-90/	
J00033960/FEDERAL WAY DIV, KCDC NVOL	09-02-90/	BAIL FORFEITURE
91-1-02892-1/SUPERIOR CT - PIERCE CTY UNL USE OF DRUG PARA	08-13-91/ 01-07-92	90D JAIL DEFERRED W/CR 4D; BALANCE OF TIME DEFERRED 1Y

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W/PROSECUTING ATTORNEY

01/12/2009 01:52 pm

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DATE COMPILED

Page 1 of 2

22

01/27/2009 10:48 FAX 2537883601

PIERCE COUNTY PROS + DAC

005/007

## Criminal History Compilation

324060

Cause Number: WITNESS FOR CRIMINAL JUSTICE INVESTIGATION

CHRI #

JUVIS #:

DOL# WA

**ADULT MISDEMEANOR CONVICTIONS**

<u>Jurisdiction/Charge</u>	<u>Offense Dt/Dispo Dt</u>	<u>Disposition</u>
B00102760/TACOMA MUNICIPAL COURT PETTY THEFT	07-07-96/	
CR0051311/TACOMA MUNICIPAL COURT DWLS 3	09-04-99/	
CR0004999/LAKEWOOD MUNI COURT POSS DRUG PARA	10-06-99/	
CR0052035/TACOMA MUNICIPAL COURT DWLS 3	12-28-99/	
C00019009/FIFE MUNICIPAL COURT POSS OF MARIJUANA - LESS THAN 40	08-10-03/	
3Y0355985/DISTRICT COURT 1 (TACOMA) DWLS 3	10-12-03/	BAIL FORFEITURE
3Y0281749/DISTRICT COURT 1 (TACOMA) DWLS 3	10-23-03/	BAIL FORFEITURE
C00007843/MILTON MUNICIPAL COURT USE DRUG PARA TO USE A CONTRL SUBST	03-19-04/	
B00210710/TACOMA MUNICIPAL COURT ILLEGAL DRUG CONDCUT	09-29-04/	
OBSTRUCTING-FALSE CHARGE/STMT	09-29-04/	

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01/12/2009 01:52 pm

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Page 2 of 2

LAKESWOOD POLICE DEPARTMENT  
ARREST REPORT WITH SUPPLEMENTAL REPORTS  
DATED OCTOBER 31, 2008  
(APPENDIX-F)



CAPENDU

Lakewood Police Department Incident No. 083050444.1  
Arrest Report

ORIGINAL

Page 1 of 9

PDA: Homeland Security: No Subject: UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest

Incident No.  
083050444.1

IBR Disposition: Arrest Case Management Disposition:  
 Forensics: Reporting By/Date: LD06132 - Waller, Jon 10/31/2008 11:00:00  
 Case Report Status: Approved Reviewed By/Date: LD04112 - Martin, Jeff 10/31/2008 18:21:07

## Related Cases:

Case Report Number Agency

## Non-Electronic Attachments

Attachment Type Additional Distribution

**OFFICIAL USE**  
 THIS INFORMATION RESTRICTED TO CRIMINAL  
 JUSTICE AGENCIES. SECONDARY RELEASE IS  
 RESTRICTED PURSUANT TO RCW 42.56 &  
 RCW 10.97. PREPARED BY L.E.S.A.#  
 DATE PREPARED

Location Address: 8025 S Hosmer Location Name:  
 City, State, Zip: Tacoma, WA Cross Street:  
 Contact Location: 7600 S Hosmer City, State, Zip: Tacoma, WA  
 CB/Grid/RD: 434 - Tacoma District/Sector: TA34 - Tacoma  
 Occurred From: 10/31/2008 11:00:00 Friday Occurred To:  
 Notes:

## Offense Details: 3530 - Drug - Cocaine - Sell

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Distributing/Selling	Type of Security:		Tools:			
Location Type:	Bus Stop	Evidence Collected:	Narcotics/Paraphernalia				
Total No. of Units Entered:							
Entry Method:							
Notes:							

## Offense Details: 3532 - Drug - Cocaine - Possess

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Possessing/Concealing	Type of Security:		Tools:			
Location Type:	Street/Right of Way	Evidence Collected:	Narcotics/Paraphernalia				
Total No. of Units Entered:							
Entry Method:							
Notes:							

## Arrestee A1: Stovall, Larry Douglas

PDA:

Aliases:

Call Source:	Assisted By:
Phone Report:	Notified:
Insurance Letter:	Entered By: LD06132 - Waller, Jon
Entered On: 10/31/2008 12:08:08	Approved By: E09982 - Rydberg, Barbara
Approved On: 10/31/2008 18:32:30	Exceptional Clearance:
Adult/Juvenile Clearance:	Exceptional Clearance Date:
Additional Distribution: Prosecutor - Felony	Other Distribution:
Val on Distribution Date: 10/31 By: 144	County Pros. Atty. [initials]
Pr ing Indexed Date:	Juvenile Military
	Other DSHS
	CPS PreTrial
	Supervisor:

For Law Enforcement Use Only - No Secondary Dissemination Allowed  
 Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.

Printed: October 31, 2008 - 6:32 PM  
 Printed By: Rydberg, Barbara

<b>Lakewood Police Department Arrest Report</b>	<b>Incident No. 003050444.1</b>	<b>Page 2 of 9</b>
---	---------------------------------	--------------------

DOB: 1/24/1959	Age: 49	Sex: Male	Race: Black	Ethnicity: Non-Hispanic
Height: 6' 3"	Weight: 300	Hair Color:		Eye Color: Brown
Address: 4525 S 56th	County:			Phone:
City, State Zip: Kent, WA	Country:			Business Phone:
Other Address:				Other Phone:
Resident: Full - Time Resident	Occupation/Grade:			Employer/School:
SSN:	DOC No:			FBI No:
State ID:	Local CH No:			
Driver License No:	Driver License State:			Driver License Country:
Hair Length: Bald	Glasses:			Facial Hair:
Hair Style:	Teeth:			Facial Shape:
Hair Type:	Speech:			Complexion:
Appearance:	Right/Left Handed:			Facial Feature Oddities:
SMT:				Distinctive Features:
Allire:				Body Build:
Gangs:				Tribe Affiliation:
Significant Trademarks:				Identifiers:
Suspect Pretended to Be:	Modus Operandi:			
Place Of Birth:	Habitual Offender:			Custody Status:
Date/Time Arrested: 10/31/2008 11:30:00	Booked Location: Pierce County Jail Tacoma, WA			Date/Time Booked: 10/31/2008 12:00:00
Arrest Location: 7600 S Hosmer Tacoma, WA	Released Location:			Held For:
Arrest Offense: 3530 - Drug - Cocaine - Sell				Date/Time Released:
Arrest Type: On-view Booked - New Probable Cause				Juvenile Disposition:
Armed With: Unarmed				Adult Present Name:
Miranda Read: Yes	Miranda Waived: No			Detention Name:
No. Warrants:	Multi. Clearance: Not Applicable			Notified Name:
Fingerprints:	Photos: No			Previous Offender:
Type of Injury:				Fire Dept Response:
Hospital Taken To:	Medical Release Obtained:			Taken By:
Attending Physician:	Hold Placed By:			

**New Charges**

Arrest #	Book/Cite	Charge Description - RCW/Ordinance	Free Text Charge Description	Court	Bail	Count
000000	Book	F - - UDCS - Unlawful Delivery Of Control Substance - RCW - 69.50.401		Pierce County Superior Court	10000	1
000000	Book	F - - UPCS - Unlawful Possession Controlled Substance w/Intent To Distribute - RCW - 69.50.401		Pierce County Superior Court	10000	1

**Warrants**

Arrest #	Warrant #	Free Text Charge Description	Agency	Court	Bail
----------	-----------	------------------------------	--------	-------	------

Arrest Notes:	
Probable Cause:	

Other Entity 01: Kelly, Antwain L

PDA:

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 Printed By: Rydberg, Barbara

# Lakewood Police Department Arrest Report

Incident No. 063050444.1

Page 3 of 9

Aliases:	DOB: 3/15/1970	Age: 38	Sex: Male	Race: Black	Ethnicity: Non-Hispanic
Height: 6' 0"	Weight: 250	Hair Color: Gray/partial gray	Eye Color: Brown		
Address:	County:		Phone:		
City, State Zip:	Country:		Business Phone:		
Other Address:			Other Phone:		
Resident: Full - Time Resident	Occupation/Grade:		Employer/School:		
SSN:			Place Of Birth:		
Driver License No:	Driver License State:		Driver License Country:		
Attire:			Complexion:		
SMT:			Facial Hair:		
Entity Type: Other Individual	Reporting Statement Obtained:		Facial Shape:		
Entity Notes:					

## Other Entity O2: Watson, William W

PDA:

Aliases:	DOB: 12/21/1969	Age: 38	Sex: Male	Race: Black	Ethnicity: Non-Hispanic
Height:	Weight:	Hair Color:	Eye Color:		
Address: 6394 Tivoli Pl #B	County:		Phone:		
City, State Zip: Newport News, VA 23605	Country:		Business Phone:		
Other Address:			Other Phone:		
Resident: Full - Time Resident	Occupation/Grade:		Employer/School:		
SSN:			Place Of Birth:		
Driver License No:	Driver License State:		Driver License Country:		
Attire:			Complexion:		
SMT:			Facial Hair:		
Entity Type: Other Individual	Reporting Statement Obtained:		Facial Shape:		
Entity Notes:					

## Other Entity O3: Herron, Tory K

PDA:

Aliases:	DOB: 9/27/1976	Age: 32	Sex: Male	Race: Black	Ethnicity: Non-Hispanic
Height:	Weight:	Hair Color:	Eye Color:		
Address:	County:		Phone:		
City, State Zip:	Country:		Business Phone:		
Other Address:			Other Phone:		
Resident: Full - Time Resident	Occupation/Grade:		Employer/School:		
SSN:			Place Of Birth:		
Driver License No:	Driver License State:		Driver License Country:		
Attire:			Complexion:		
SMT:			Facial Hair:		
Entity Type: Other Individual	Reporting Statement Obtained:		Facial Shape:		
Entity Notes:					

## Property Item No. 1/1: 1903 - Drugs - Cocaine - Crack

Other Common Item:	Photographed:
Description:	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner: A1 - Stovall, Larry Douglas

**Lakewood Police Department Arrest Report****Incident No. 033050444.1**

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Status:	<b>6 - Seized-Evidence Taken In Drug, Forgery/Counterfeiting Or Gambling Offenses</b>		Value:	
Recovered Date:			Make/Brand:	
Recovered Value:			Model:	
Field Tested:			Serial No:	
Field Test Results:			OAN:	
Property Disposition:	<b>Booked into Property</b>		Insurance Company:	
Disposition Location:	<b>Lakewood Police</b>		Policy No:	
<b>Vehicle Information:</b>				
License:			Locked:	
License State:			Keys in Vehicle:	
License Country:			Delinquent Payment:	
Vehicle Year:			Victim Consent:	
Make:			Drivable:	
Model:			Estimated Damage:	
Vehicle Style:			Damage:	
Primary Vehicle Color:			Damaged Area:	
Secondary Vehicle Color:			Tow Company:	
VIN:			Tow Consent:	
Special Features:			Hold Requested By:	
<b>Drug Information:</b>				
Drug Type:	<b>Cocaine - Crack</b>		Drug Measure:	<b>Gram</b>
Drug Quantity:	<b>0.8</b>		Drug Measure Type:	<b>Exact</b>
<b>Jewelry Information:</b>				
Metal Color:			Total # of Stones:	
Metal Type:			Inscription:	
Stone Color:			Generally Worn By:	
<b>Firearm Information:</b>				
Caliber:			Length:	
Gauge:			Finish:	
Action:			Grips:	
Importer:			Stock:	
Property Notes:				

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

**Property Item No. 2/2: 1903 - Drugs - Cocaine - Crack**

Other Common Item:		Photographed:	
Description:		Fingerprinted:	
Quantity:	<b>1</b>	Contents Sampled:	
Finding Location:		Owner:	<b>A1 - Stovall, Larry Douglas</b>
Status:	<b>E - Evidence (Including Other Seized Property And Tools)</b>	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	<b>Booked into Property</b>	Insurance Company:	
Disposition Location:	<b>Lakewood Police</b>	Policy No:	
<b>Vehicle Information:</b>		Locked:	
License:			

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**Lakewood Police Department Arrest  
Report**
**Incident No. 03050444.1**
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License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	
<b>Drug Information:</b>			
Drug Type:	Cocaine - Crack	Drug Measure:	Gram
Drug Quantity:	25.5	Drug Measure Type:	Exact
<b>Jewelry Information:</b>			
Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	
<b>Firearm Information:</b>			
Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes:			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

**Property Item No. 3/3: 1903 - Drugs - Cocaine - Crack**

Other Common Item:		Photographed:	
Description:		Fingerprinted:	
Quantity:	1	Contents Sampled:	
Finding Location:		Owner:	A1 - Stovall, Larry Douglas
Status:	E - Evidence (Including Other Seized Property And Tools)	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	Lakewood Police	Policy No:	
<b>Vehicle Information:</b>			
License:		Locked:	
License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	

**Lakewood Police Department Arrest Report****Incident No. 03050444.1**

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**Drug Information:**Drug Type: Cocaine - Crack  
Drug Quantity: 0.9Drug Measure: Gram  
Drug Measure Type: Exact**Jewelry Information:**Metal Color:  
Metal Type:  
Stone Color:Total # of Stones:  
Inscription:  
Generally Worn By:**Firearm Information:**Caliber:  
Gauge:  
Action:  
Importer:Length:  
Finish:  
Grips:  
Stock:

Property Notes:

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

**Property Item No. 4/4: 1500 - Communication - Telephone - Cellular Phone**

Other Common Item:		Photographed:	
Description:		Fingerprinted:	
Quantity:	3	Contents Sampled:	
Finding Location:		Owner:	
Status:	E - Evidence (Including Other Seized Property And Tools)	Value:	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Booked into Property	Insurance Company:	
Disposition Location:	Lakewood Police	Policy No:	
<b>Vehicle Information:</b>		Locked:	
License:		Keys in Vehicle:	
License State:		Delinquent Payment:	
License Country:		Victim Consent:	
Vehicle Year:		Drivable:	
Make:		Estimated Damage:	
Model:		Damage:	
Vehicle Style:		Damaged Area:	
Primary Vehicle Color:		Tow Company:	
Secondary Vehicle Color:		Tow Consent:	
VIN:		Hold Requested By:	
Special Features:			
<b>Drug Information:</b>		Drug Measure:	
Drug Type:		Drug Measure Type:	
Drug Quantity:			
<b>Jewelry Information:</b>		Total # of Stones:	
Metal Color:		Inscription:	
Metal Type:		Generally Worn By:	
Stone Color:			
<b>Firearm Information:</b>		Length:	
Caliber:		Finish:	
Gauge:			

(10)

Lakewood Police Department Arrest  
Report

Incident No. 663050444.1

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Action:  
Importer:Grips:  
Stock:

Property Notes:

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

## Property Item No. 5/5: 2102 - Money - Currency / Bills - Miscellaneous / Assorted

Other Common Item:	Photographed:
Description: 231.00 dollars	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner:
Status: E - Evidence (Including Other Seized Property And Tools)	Value:
Recovered Date:	Make/Brand:
Recovered Value:	Model:
Field Tested:	Serial No:
Field Test Results:	OAN:
Property Disposition: Booked into Property	Insurance Company:
Disposition Location: Lakewood Police	Policy No:
Vehicle Information:	Locked:
License:	Keys in Vehicle:
License State:	Delinquent Payment:
License Country:	Victim Consent:
Vehicle Year:	Drivable:
Make:	Estimated Damage:
Model:	Damage:
Vehicle Style:	Damaged Area:
Primary Vehicle Color:	Tow Company:
Secondary Vehicle Color:	Tow Consent:
VIN:	Hold Requested By:
Special Features:	
Drug Information:	Drug Measure:
Drug Type:	Drug Measure Type:
Drug Quantity:	
Jewelry Information:	Total # of Stones:
Metal Color:	Inscription:
Metal Type:	Generally Worn By:
Stone Color:	
Firearm Information:	Length:
Caliber:	Finish:
Gauge:	Grips:
Action:	Stock:
Importer:	
Property Notes:	

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Lakewood Police Department Arrest Report	Incident No. 083050444.1	Page 8 of 9
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## Investigative Information

Means:	Motive:
Vehicle Activity:	Direction Vehicle Traveling:

Synopsis:
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Narrative: On the above date and time, while working with the Lakewood Special Operations Unit I contacted confidential informant 08-086. The informant advised he/she could purchase 100.00 dollars of crack cocaine from "Larry".

The informant was searched per policy for contraband (drugs, weapons, money, etc...). Nothing was found on the informant. The informant then contacted Larry via phone in my presence and asked for 100.00 dollars worth meaning 100.00 dollars of crack cocaine. The informant also obtained where Larry was located and set up a meeting place. The informant then got into my vehicle.

I acted as an undercover in this incident. I was acting as the person wanting the crack cocaine but did not have contact with Larry. We met with Larry at the above location. I observed Larry sitting at the bus stop in front of the location. I pulled up and parked behind the bus stop. The informant exited my vehicle and contacted Larry at the bus stop. Larry did not want to do the transaction in my view and requested that I park out of sight. The informant got back into my vehicle and I did so.

I then gave the informant 100.00 dollars of pre-recorded buy money. The informant exited my vehicle and was observed walking from my vehicle directly to Larry. The informant was under constant surveillance during this time. The informant then walked away from Larry a short time later (approximately 1 minute). The informant then met with me and I confirmed a successful purchase by taking control of the crack cocaine. I recognized the crack cocaine as such from my training and experience. I then advised the surveillance/arrest team the deal was successful. The assisting units then followed Larry and the unknown black male he was with. They were seen getting into a white Chevy truck (license plate # [REDACTED]) and leaving the location.

I then took the informant to a secluded location and conducted a search per policy for contraband. The informant was not found with anything. I then asked the informant to open his/her mouth. He/She then swallowed and opened his/her mouth. I did not see anything inside his/her mouth. I then asked the informant if he/she swallowed something. He/She advised he/she swallowed a piece of crack cocaine which he/she took from the 100.00 dollars we purchased. He/She was then advised of the safety concerns of swallowing crack cocaine. He/She was also advised that because of the dishonest act he/she would no longer be an informant of mine. The informant was then released from the location.

I then went to the arrest location. I met with Officer Callett who advise he located Larry, identified as Larry Stovall (arrestee), sitting in the passenger side of the truck. Officer Callett also advised he located a pill bottle with a substantial amount of crack cocaine in it. Officer Callett also located a 100.00 dollar bill which was confirmed to be the buy money used for this operation. The above items were located in the ash tray of the truck which was within reach of Larry.

Larry was then contacted by Officer Crommes. Officer Crommes told me he located a small amount of crack cocaine inside Larry's jacket pocket. Officer Crommes also located 231.00 dollars and three cell phones.

The crack cocaine located in the vehicle, on Larry's person, and the pieces sold to the informant seemed to be from the same batch based on consistency. The listed crack cocaine was field tested (each with a separate test kit) using a NIK brand test kit with positive results for cocaine. The listed evidence was turned in at the Lakewood Police Department.

The black male who was with Larry during the transaction was identified as Anttwin Kelly. Kelly advised he observed Larry give the informant crack cocaine but did not know an amount. Kelly stated he did not know what was going on.

The driver of the truck, other passenger, and Kelly were identified and released from the location.

See supplement reports for further details regarding the arrest portion of this operation and the found evidence. Larry was transported to the Jail to be booked for UDCS (Cocaine) and UPCS w/Intent (Cocaine).

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**Lakewood Police Department Arrest  
Report****Incident No. 03050444.1****Page 9 of 9**

Reviewed By:

Reviewed Date:

# Lakewood Police Department Incident No. 083050444.2 Original Supp. Page 1 of 2

## Supplemental Report

PDA:	Homeland Security: No	Subject: UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest	Incident No. 083050444.2
IBR Disposition: Arrest	Case Management Disposition:		
Forensics:	Reporting By/Date: LD06131 - Olsen, Darcy 10/31/2008 12:29:00		
Case Report Status: Approved	Reviewed By/Date: LD04108 - Crommes, David 10/31/2008 13:05:18		

### Related Cases:

Case Report Number: Agency:

### Non-Electronic Attachments

Attachment Type: Additional Distribution: Count:

Location Address: 8025 S Hosmer	Location Name:
City, State, Zip: Tacoma, WA	Cross Street:
Contact Location:	City, State, Zip:
CB/Grid/RD:	District/Sector:
Occurred From: 10/31/2008 11:00:00 Friday	Occurred To:
Notes:	

### Offense Details: 3530 - Drug - Cocaine - Sell

Domestic Violence: No	Child Abuse: No	Gang Related: No	Juvenile: No
Completed: Completed	Crime Against: SO	Hate/Bias: None (No Bias)	Using: Tools:
Criminal Activity: Distributing/Selling	Type of Security:		
Location Type: Bus Stop	Evidence Collected: Narcotics/Paraphernalia		
Total No. of Units Entered:			
Entry Method:			
Notes:			

### Offense Details: 3532 - Drug - Cocaine - Possess

Domestic Violence: No	Child Abuse: No	Gang Related: No	Juvenile: No
Completed: Completed	Crime Against: SO	Hate/Bias: None (No Bias)	Using: Tools:
Criminal Activity: Possessing/Concealing	Type of Security:		
Location Type: Street/Right of Way	Evidence Collected: Narcotics/Paraphernalia		
Total No. of Units Entered:			
Entry Method:			
Notes:			

### Investigative Information

Means:	Motive:
Call Source:	Assisted By:
Phone Report:	Notified:
Insurance Letter:	Entered By: LD06131 - Olsen, Darcy
Entered On: 10/31/2008 12:29:49	Approved By: E09821 - Christman, Robin
Approved On: 10/31/2008 13:36:34	Exceptional Clearance:
Adult/Juvenile Clearance:	Exceptional Clearance Date:
Additional Distribution: Prosecutor - Felony	Other Distribution:
Distribution Date: 10/31 By: 144	County Pros. Atty. [initials]
Indexed Date: By: 160	Juvenile Military:
Other DSHS:	CPS PreTrial:
Supervisor: [signature]	

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Printed By: Christman, Robin

**Lakewood Police Department  
Supplemental Report****Incident No. 083050444.2**

Page 2 of 2

Vehicle Activity:

Direction Vehicle Traveling:

Synopsis:

Narrative:

On the listed time and date I was working in an undercover capacity with the Lakewood Police Department Special Operations Unit. I was acting as a surveillance unit to watch the CI and the target, later identified as Larry Stovall. Stovall was described as a black male with a bald head wearing a black jacket. I observed the CI approach Stovall, who was standing in the bus stop at the 8000 block of Hosmer. There was another male, later identified as Antwain Kelly, sitting in the bus stop. The CI approached Stovall and observed hand to hand motions between the two. The CI then left the bus stop and went back to Officer Waller's car and Officer Waller advised that a deal had been made.

Stovall and Kelly got into a white truck and left the parking lot. I then assisted other Lakewood Special Operations Unit members in a traffic stop on the vehicle. Nothing further. D. Olsen LK157

Reviewed By:

Reviewed Date:

**Lakewood Police Department Incident No. 083050444.3**  
**Supplemental Report**

Page 1 of 2

**Original Supp.**

PDA: Homeland Security: **No** Subject: **UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest**

IBR Disposition: **Arrest** Case Management Disposition: **LD06134 - Catlett, Jason 10/31/2008 11:00:00**

Forensics: Reporting By/Date: **LD04108 - Crommes, David 10/31/2008 13:05:29**

Case Report Status: **Approved** Reviewed By/Date:

 Incident No.  
 083050444.3
**Related Cases:**

Case Report Number Agency

**Non-Electronic Attachments**

Attachment Type	Additional Distribution	Count
Location Address: <b>8025 S Hosmer</b>	Location Name:	
City, State, Zip: <b>Tacoma, WA</b>	Cross Street:	
Contact Location:	City, State, Zip:	
CB/Grid/RD:	District/Sector:	
Occurred From: <b>10/31/2008 11:00:00 Friday</b>	Occurred To:	
Notes:		


**Offense Details: 3530 - Drug - Cocaine - Sell**

Domestic Violence: <b>No</b>	Child Abuse: <b>No</b>	Gang Related: <b>No</b>	Juvenile: <b>No</b>
Completed: <b>Completed</b>	Crime Against: <b>SO</b>	Hate/Bias: <b>None (No Bias)</b>	Using: <b>None (No Bias)</b>
Criminal Activity: <b>Distributing/Selling</b>	Type of Security: <b>Narcotics/Paraphernalia</b>	Tools:	
Location Type: <b>Bus Stop</b>	Evidence Collected: <b>Narcotics/Paraphernalia</b>		
Total No. of Units Entered:			
Entry Method:			
Notes:			

**Offense Details: 3532 - Drug - Cocaine - Possess**

Domestic Violence: <b>No</b>	Child Abuse: <b>No</b>	Gang Related: <b>No</b>	Juvenile: <b>No</b>
Completed: <b>Completed</b>	Crime Against: <b>SO</b>	Hate/Bias: <b>None (No Bias)</b>	Using: <b>None (No Bias)</b>
Criminal Activity: <b>Possessing/Concealing</b>	Type of Security: <b>Narcotics/Paraphernalia</b>	Tools:	
Location Type: <b>Street/Right of Way</b>	Evidence Collected: <b>Narcotics/Paraphernalia</b>		
Total No. of Units Entered:			
Entry Method:			
Notes:			

**Investigative Information**

Means:	Motive:
Call Source:	Assisted By:
Phone Report:	Notified:
Insurance Letter:	Entered By: <b>LD06134 - Catlett, Jason</b>
Entered On: <b>10/31/2008 12:43:19</b>	Approved By: <b>E09821 - Christman, Robin</b>
Approved On: <b>10/31/2008 13:36:17</b>	Exceptional Clearance:
Adult/Juvenile Clearance:	Exceptional Clearance Date:
Additional Distribution: <b>Prosecutor - Felony</b>	Other Distribution:
Val on Processing	County Pros. Atty. <input checked="" type="checkbox"/> Juvenile
Distribution Date:	City Pros. Atty.
Indexed Date:	Other DSHS
	CPS
	Supervisor: 
	Printed: October 31, 2008 - 1:36 PM
	Printed By: Christman, Robin

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**Lakewood Police Department  
Supplemental Report****Incident No. 083050444.3**

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Vehicle Activity:

Direction Vehicle Traveling:

Synopsis:

Narrative:

On 10/31/08 while working undercover for the Lakewood Special Operation's Unit I assisted with a buy bust operation in the 8300 block of Hosmer St. I was a surveillance unit, but was not able to see the transaction because of my position. I was informed over the radio that the buy had been successful and that we were moving in for the arrest.

I activated my emergency lights and siren and the white truck that the suspect had gotten into came to a stop. I ordered the passenger out and he was taken into custody by Officer Crommes. I then ordered the middle seat passenger, Tory Herron, out and placed him in handcuffs (gauged and double locked). I advised him of his Miranda rights, which he acknowledged and waived. Herron reluctantly told me that he knew Larry and saw Larry drop something in a hole in the dash which emptied into the glove box.

I opened the glove box and found a \$100 bill wadded up, which was the same bill the informant used to purchase Crack (verified by serial number). Next to the money was a prescription bottle with black electrical tape all around it. I opened the bottle and it was full of what appeared to be Crack Cocaine. I walked back to Larry and showed him the contents of the bottle and asked him if he knew what it was. Larry said, "Looks like Crack to me." I asked Larry how much he thought it was worth and he said, "Probably \$400." I asked Larry if he cooked it himself or if he bought it and Larry said, "I'm not saying whether I made it or bought it."

The Crack Cocaine in the pill bottle tested positive for Cocaine using a NIK brand test kit and weighed exactly 25.5 grams. I booked the Cocaine into evidence.

J. Catlett LK160

Reviewed By:

Reviewed Date:

**Lakewood Police Department Incident No. 083050444.4 Original Supp. Page 1 of 2**  
**Supplemental Report**

PDA:	Homeland Security:	No	Subject:	UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest	
IBR Disposition:	Arrest	Case Management Disposition:			
Forensics:		Reporting By/Date:	LD04108 - Crommes, David	10/31/2008 11:00:00	
Case Report Status:	Approved	Reviewed By/Date:	LD04108 - Crommes, David	10/31/2008 13:05:38	

 Incident No.  
 083050444.4
**Related Cases:**

Case Report Number

Agency

**Non-Electronic Attachments**

Attachment Type	Additional Distribution	Count
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Location Address:	8025 S Hosmer	Location Name:	
City, State, Zip:	Tacoma, WA	Cross Street:	
Contact Location:		City, State, Zip:	
CB/Grid/RD:		District/Sector:	
Occurred From:	10/31/2008 11:00:00 Friday	Occurred To:	
Notes:			

**Offense Details: 3530 - Drug - Cocaine - Sell**

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Distributing/Selling	Type of Security:		Tools:			
Location Type:	Bus Stop	Evidence Collected:	Narcotics/Paraphernalia				
Total No. of Units Entered:							
Entry Method:							
Notes:							

**Offense Details: 3532 - Drug - Cocaine - Possess**

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Possessing/Concealing	Type of Security:		Tools:			
Location Type:	Street/Right of Way	Evidence Collected:	Narcotics/Paraphernalia				
Total No. of Units Entered:							
Entry Method:							
Notes:							

**Investigative Information**

Means:	Motive:							
Call Source:	Assisted By:							
Phone Report:	Notified:							
Insurance Letter:	Entered By:			LD04108 - Crommes, David				
Entered On:	10/31/2008 13:04:20	Approved By:			E09821 - Christman, Robin			
Approved On:	10/31/2008 13:36:01	Exceptional Clearance:						
Adult/Juvenile Clearance:	Exceptional Clearance Date:							
Additional Distribution:	Prosecutor - Felony	Other Distribution:						
V. Processing	Distribution Date: 10/31	By: 1144	County Pros. Atty. M	Juvenile	Other	CPS	Supervisor:	
	Indexed Date:	By: 1144	City Pros. Atty.	Military	DSHS	PreTrial		

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 Printed By: Christman, Robin

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**Lakewood Police Department  
Supplemental Report**
**Incident No. 083050444.4**

Page 2 of 2

Vehicle Activity:

Direction Vehicle Traveling:

**Synopsis:**
**Narrative:**

On listed date and time I was working as a plain clothes officer for the Lakewood Police Department performing Pro-Act Transit emphasis. It was also at that time when I was assisting Case Officer Waller with a buy/bust situation at the bus stop located at the Value Village located in the 8200 block of S. Hosmer. The target, described as a B/M heavy set and bald, was on a bus and was going to stop at the Value Village bus stop to meet the CI. I watched as the target later identified as (A) LARRY STOVALL and another B/M elderly exited the bus and sat at the bus stop.

I was parked to the south of the bus stop in a motel parking lot watching the bus stop. I watched as the CI walked towards the bust stop and contacted STOVALL and the other B/M. After a few moments, the CI left the bus stop. As I was moving, I heard officers state over the communications that a white pickup truck later identified as WA/B84167-B was picking up STOVALL and the other male. I then saw the pickup travel S/B through the parking lot and ultimately turn N/B onto S. Hosmer. A few moments later Officer Waller stated that it was a "Good deal".

Other team members and I then stopped the truck in the 7900 block of S. Hosmer. I approached on the passenger side with Officer Catlett and we placed STOVALL in handcuffs. I then read STOVALL his Miranda Warnings, which he stated that he understood and did not request an attorney. I told STOVALL that I was watching the bus stop and asked him about the contact with the female that had approached him. STOVALL stated that he "Gave her a few pieces". Search incident to arrest of STOVALL, I located a small plastic bag inside STOVALL'S right jacket pocket that contained a small amount of a whitish-yellowish substance that I recognized as from my training and experience as crack cocaine (Substance later tested positive for cocaine and weighed approximately .9 GMs). I also located \$231.00 dollars in STOVALL'S wallet as well and three cell phones.

The crack cocaine, currency, and cell phones were later placed into evidence.

Nothing further.

Reviewed By:

Reviewed Date:

Lakewood Police Department  
Supplemental Report

Incident No. 083050444.5

Original Supp.

Page 1 of 2

PDA: No	Homeland Security: No	Subject: UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest	Incident No. 083050444.5
IBR Disposition: Arrest	Case Management Disposition:		
Forensics:	Reporting By/Date:	LD04112 - Martin, Jeff 10/31/2008 18:18:00	
Case Report Status: Approved	Reviewed By/Date:	LD04112 - Martin, Jeff 10/31/2008 18:21:57	

## Related Cases:

Case Report Number \_\_\_\_\_ Agency \_\_\_\_\_

## Non-Electronic Attachments

Attachment Type \_\_\_\_\_ Additional Distribution \_\_\_\_\_ Count \_\_\_\_\_

Location Address:	8025 S Hosmer	Location Name:	
City, State, Zip:	Tacoma, WA	Cross Street:	
Contact Location:		City, State, Zip:	
CB/Grid/RD:	434 - Tacoma	District/Sector:	TA34 - Tacoma
Occurred From:	10/31/2008 11:00:00 Friday	Occurred To:	
Notes:			

## Offense Details: 3530 - Drug - Cocaine - Sell

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Distributing/Selling	Type of Security:		Tools:			
Location Type:	Bus Stop	Evidence Collected:	Narcotics/Paraphernalia				
al No. of Units Entered:							
Entry Method:							
Notes:							

## Offense Details: 3532 - Drug - Cocaine - Possess

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No	Juvenile:	No
Completed:	Completed	Crime Against:	SO	Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:	Possessing/Concealing	Type of Security:		Tools:			
Location Type:	Street/Right of Way	Evidence Collected:	Narcotics/Paraphernalia				
Total No. of Units Entered:							
Entry Method:							
Notes:							

## Investigative Information

Means:	Motive:						
Call Source:	Assisted By:						
Phone Report:	Notified:						
Insurance Letter:	Entered By:			LD04112 - Martin, Jeff			
Entered On:	10/31/2008 18:18:43			Approved By:			
Approved On:	10/31/2008 18:34:01			E09982 - Rydberg, Barbara			
Adult/ Juvenile Clearance:	Exceptional Clearance:			Exceptional Clearance Date:			
Additional Distribution:	Prosecutor - Felony			Other Distribution:			
Va on Processing	Distribution Date:	By:	County Pros. Atty.	Juvenile	Other	CPS	Supervisor:
	Indexed Date:	By:	City Pros. Atty.	Military	DSHS	PreTrial	

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Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.

Printed: October 31, 2008 - 6:34 PM

Printed By: Rydberg, Barbara



**Lakewood Police Department  
Supplemental Report****Incident No. 083050444.5**

Page 2 of 2

Vehicle Activity:

Direction Vehicle Traveling:

**Synopsis:****Narrative:**

On the listed date/time I assisted Officer Waller with a purchase of narcotics utilizing a testimonial informant (TI). Prior to the operation I parked in a strategic location and was able to keep constant observation on the intended target, who had been positively identified by the TI during a pre-purchase roll by with Officer Waller.

The TI was dropped off near the location and kept under constant supervision by members of the LPD Special Operations Unit. I watched as the TI approached the target inside a bus shelter. Within minutes a short hand-to-hand transaction took place with the intended target. After which the TI walked away and contacted Officer Waller who advised a good deal had taken place. I continued to observe the target as he entered an older white Chevrolet pickup truck, which was followed and stopped by unit members. Several subjects were detained, including Antwain L. Kelly, DOB/3-15-1970. I advised KELLY of his constitutional rights/waiver to which he stated he understood and waived. KELLY was observed with the intended target and stood directly next to him during the transaction. KELLY later admitted to Officer Waller he observed the transaction between the intended target and the TI. KELLY was later released.

Reviewed By:

Reviewed Date:



**PROPERTY REPORT**

Agency: Lakewood Police Department

Page 1 of 1

Disposition Location: Lakewood Police

Subject: UDCS(Cocaine)/UPCS w/Intent(Cocaine)  
-Arrest

JG#: \_\_\_\_\_

Printed on: 11/03/2008 / 14:26 Printed by: Daigles, Michelle R.

**Related Cases:****PROPERTY INVENTORY**

MC	PROPERTY DESCRIPTION	R/I	SC	Sealed	Qty	Serial No.	Dispo	LOCATION	RECEIPT NO.
1	Drugs - Cocaine - Crack   Qty:0.8 MeasureCode:GM  MeasureType:Exact	001	6		1				
2	Drugs - Cocaine - Crack   Qty:25.5 MeasureCode:GM  MeasureType:Exact	002	E		1				
3	Drugs - Cocaine - Crack   Qty:0.9 MeasureCode:GM  MeasureType:Exact	003	E		1				
4	Communication - Telephone - Cellular Phone	004	E		3				
5	Money - Currency / Bills - Miscellaneous / Assorted   231.00 dollars	005	E		1				

Reported By: Jon Waller Employee ID: LD06132 Date: 10/31/2008 12:08:08PM

Verified By: \_\_\_\_\_

PROP  
ROOM  
E ONLY

PROPERTY RECEIVED: METHOD \_\_\_\_\_

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

PROPERTY INVENTORIED BY: \_\_\_\_\_

49

UNIT NO. \_\_\_\_\_

DATE: \_\_\_\_\_

083050444.1

10

200826294

5

**Attachment Summary Sheet****Case No. 083050444****Lakewood Police Department****Incident Information:****Subject:** UDCS(Cocaine)/UPCS w/Intent(Cocaine)-Arrest**Location Address:** 8025 S Hosmer**City, State, Zip:** Tacoma WA**CB/Grid/RD:** 434 - Tacoma**District/Sector:** TA34 - Tacoma**Occurred From:** 10/31/2008 11:00:00 AM**Occurred To:** 10/31/2008 11:00:00 AM**Non-Electronic Attachments:**

Case Report #	Attachment Type	Additional Distribution Count	Attachment Included
083050444.6	WSP Crime Lab Report	1	

**Offenses:**

3530 - Drug - Cocaine - Sell

Domestic Violence: No

Juvenile: No

3532 - Drug - Cocaine - Possess

Domestic Violence: No

Juvenile: No

**Arrestees:****Arrestee A1: Stovall, Larry Douglas**

Arrest #	Book/Cite	Charge Description	Free Text Charge Description	Court	Bail	Count
000000	Book	F - - UDCS - Unlawful Delivery Of Control Substance - RCW - 69.50.401		Pierce County Superior Court	10000	1
000000	Book	F - - UPCS - Unlawful Possession Controlled Substance w/Intent To Distribute - RCW - 69.50.401		Pierce County Superior Court	10000	1

**Entities:**

One of Other Type O1: Kelly, Antwain L

PDA: No

One of Other Type O2: Watson, William W

PDA: No

One of Other Type O3: Herron, Tory K

PDA: No

**Admin Information:**

Reporting Officer:	Reported On:	CR Number:	Entered By:	Entered On:
LD06132 - Waller Jon	10/31/2008 11:00:00 AM	083050444.1	LD06132 - Waller Jon	10/31/2008 12:08:08 PM
LD06131 - Olsen Darcy	10/31/2008 12:29:00 PM	083050444.2	LD06131 - Olsen Darcy	10/31/2008 12:29:49 PM
LD06134 - Catlett Jason	10/31/2008 11:00:00 AM	083050444.3	LD06134 - Catlett Jason	10/31/2008 12:43:19 PM
LD04108 - Crommes	10/31/2008	083050444.4	LD04108 -	10/31/2008

David	11:00:00 AM		Crommes David	1:04:20 PM
LD04112 - Martin	10/31/2008	083050444.5	LD04112 - Martin	10/31/2008
Jeff	6:18:00 PM		Jeff	6:18:43 PM
LD07138 - Meeks	12/31/2008	083050444.6	LD07138 - Meeks	12/31/2008
Erica	3:00:00 PM		Erica	3:01:53 PM

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Allowed.**

Report Printed:  
1/3/2009

By: Alvarez, Sasha

CHRISTINE O. GREGOIRE  
Governor



JOHN R. BATISTE  
Chief

STATE OF WASHINGTON  
WASHINGTON STATE PATROL

2502 112th Street East, Rm 273 • Tacoma, WA 98445-5104 • (253) 536-4280 • www.wsp.wa.gov

**CRIME LABORATORY REPORT**

Agency: Lakewood Police Department

Laboratory Number: 308-002969

Agency Rep: Officer Jeff Martin

Agency Case Number: 083050444

Subject: Suspect - STOVALL, LARRY D.

Request Number: 0001

**The following evidence was received:**

Item 1

An envelope containing 0.6 gram of off-white chunky material that was found to contain COCAINE.

Item 2

A plastic vial containing 16.1 grams of off-white chunky material that was found to contain COCAINE.

Item 3

An envelope containing 0.6 gram of off-white chunky material that was found to contain COCAINE.

08-305-6444

*This report may contain the analyst's opinion(s) and interpretation(s).*

**TEST CERTIFICATION**

The undersigned certifies under penalty of perjury that:

1. I performed the test on the (substance) (object) in question;
2. The person from whom I received the (substance) (object) in question is  
Property & Evidence Custodian Marion Brown;
3. The document on which this certificate appears or to which it is attached is a true and complete copy of my official report; and
4. Such document is a report of the results of a test which report and test were made by the undersigned who has the following qualifications and experience:

B.S. in Natural Science/Chemistry; Forensic Scientist since 1986

Maureena T. Dydychus 12-15-08  
Maureena T. Dydychus, Forensic Scientist Date

Tacoma Crime Laboratory  
2502 112th St. E. #273  
Tacoma, WA 98445  
(253) 536-4280

LARRY D. STOVALL  
CRIMINAL CASE DOCKET  
CASE #08-1-05203-8  
(APPENDIX-G)  
DATED 12/2/2010

## Pierce County Superior Court Criminal Case 08-1-05203-8

**PURCHASE COPIES**

Defendant: **LARRY DOUGLAS STOVALL**  
 Access: Public  
 Jurisdiction: SUPERIOR CT - PIERCE CTY  
 Initial Arrest Date: 10/31/2008  
 Initial Bail Amount: \$50,000.00

**Attorneys**

Type	Name	Firm	Role
Prosecutor	JAMES H CURTIS	Prosecuting Attorney	LEAD COUNSEL

**Charges**

Count	Type	Description	RCW	Disposition	Sentence Date
1	Original	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b><u>69.50.401(1)(2)(a)</u></b>		
	Amended	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b><u>69.50.401(1)(2)(a)</u></b>		
	Final	UNLAWFUL DELIVERY OF A CONTROLLED SUBSTANCE	<b><u>69.50.401(1)(2)(a)</u></b>	PLED GLTY AS CHGD	12/31/2009
2	Original	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DELIVER	<b><u>69.50.401(1)(2)(a)</u></b>		
	Amended	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DELIVER	<b><u>69.50.401(1)(2)(a)</u></b>		
	Final	UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DELIVER	<b><u>69.50.401(1)(2)(a)</u></b>	PLED GLTY AS CHGD	12/31/2009

**Filings** { e-file document }

Filing Date	Filing	Access	Pages	Microfilm
11/03/2008	ORDER FOR HEARING	Public	1	
11/03/2008	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2	
11/03/2008	CLERK'S MINUTE ENTRY	Public	2	
11/03/2008	INFORMATION	Public	2	
11/03/2008	AFFIDAVIT/DETERMINATION FOR PROBABLE CAUSE	Public	2	
11/13/2008	NOTICE OF APPEARANCE	Public	1	
11/19/2008	ORDER FOR HEARING	Public	1	
11/20/2008	NOTICE OF APPEARANCE	Public	1	
12/02/2008	DISQUALIFICATION OF COUNSEL	Public	1	
12/02/2008	ORDER FOR HEARING	Public	1	
12/09/2008	RECEIPT OF DISCOVERY	Public	1	
12/09/2008	CLERK'S MINUTE ENTRY	Public	2	
12/09/2008	ORDER RE: BAIL AND MEDICAL CONCERNS	Public	1	
12/17/2008	OMNIBUS ORDER	Public	3	
12/30/2008	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1	
01/09/2009	RECEIPT OF DISCOVERY	Public	1	
01/13/2009	RECEIPT OF DISCOVERY	Public	1	
01/14/2009	RECEIPT OF DISCOVERY	Public	1	



01/26/2009	ORDER AUTHORIZING SUBSTITUTION OF COUNSEL	Public	2
01/27/2009	RETURN ON SUBPOENA, CROMMES	Public	1
01/27/2009	RETURN ON SUBPOENA, MAUER	Public	1
01/27/2009	RETURN ON SUBPOENA, CATLETT	Public	1
01/28/2009	RETURN ON SUBPOENA, OLSEN	Public	1
01/28/2009	RECEIPT OF DISCOVERY	Public	1
01/28/2009	STATE'S LIST OF WITNESSES	Public	2
02/02/2009	ORDER FOR HEARING	Public	1
02/03/2009	RETURN ON SUBPOENA, WALLER	Public	1
02/03/2009	RETURN ON SUBPOENA -3	Public	3
02/05/2009	AFFIDAVIT/DCLR PROBABLE CAUSE SUPPLEMENT	Public	2
02/05/2009	AMENDED INFORMATION	Public	2
02/09/2009	SUBPOENA	Public	2
02/09/2009	SUBPOENA	Public	2
02/09/2009	SUBPOENA	Public	2
02/09/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
02/09/2009	DEFENDANT'S LIST OF WITNESSES	Public	1
02/09/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
02/10/2009	RETURN ON SUBPOENA, OLSEN	Public	1
02/11/2009	STATE'S LIST OF WITNESSES	Public	1
02/18/2009	RETURN ON SUBPOENA, CROMMES	Public	1
02/20/2009	RETURN ON SUBPOENA 5	Public	5
02/23/2009	RETURN ON SUBPOENA, CATLETT	Public	1
03/25/2009	ORDER ON STATUS CONFERENCE	Public	2
03/31/2009	AFFIDAVIT/DECLARATION OF SERVICE KELLY	Public	2
04/01/2009	SUBPOENA - KELLY	Public	2
04/01/2009	SUBPOENA - HERRON	Public	2
04/01/2009	SUBPOENA -BANKS	Public	2
04/01/2009	RETURN ON SUBPOENA	Public	2
04/02/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
04/02/2009	ASSIGNED TO	Public	1
04/13/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
04/17/2009	RETURN ON SUBPOENA, OLSEN	Public	1
04/20/2009	RETURN ON SUBPOENA, CROMMES	Public	1
04/20/2009	MOTION TO PROCEED PRO SE	Public	3
04/20/2009	NOTICE OF MOTION	Public	3
04/20/2009	MEMORANDUM IN SUPPORT	Public	9
04/20/2009	CLERK'S MINUTE ENTRY	Public	2
04/20/2009	ORDER TO PROCEED PRO SE	Public	1
04/20/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
04/21/2009	RETURN ON SUBPOENA PIERCE TRANSIT	Public	1
04/21/2009	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2
04/21/2009	ORDER APPOINTING COUNSEL FOR MATERIAL WITNESS	Public	1

04/21/2009	ORDER AUTHORIZING SUBSTITUTION OF COUNSEL	Public	1
04/21/2009	ORDER FOR CONTINUANCE OF TRIAL DATE	Public	1
04/22/2009	RETURN ON SUBPOENA 2	Public	2
04/22/2009	PLAINTIFF'S PROPOSED INSTRUCTIONS	Public	29
04/22/2009	MOTION IN LIMINE	Public	4
04/22/2009	ASSIGNED TO	Public	1
04/23/2009	NOTICE OF MOTION	Public	2
04/23/2009	MOTION TO SUPPRESS	Public	3
04/23/2009	SHERIFF'S RETURN ON BW * MATERIAL WITNESS*	Public	2
04/28/2009	RETURN ON SUBPOENA -2	Public	2
04/29/2009	RECEIPT OF DISCOVERY	Public	1
04/29/2009	RETURN ON SUBPOENA -ADAMS	Public	1
04/30/2009	RETURN ON SUBPOENA -2	Public	2
05/04/2009	RETURN ON SUBPOENA, OLSEN	Public	1
05/04/2009	RETURN ON SUBPOENA HERRON	Public	1
05/04/2009	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2
05/04/2009	CLERK'S MINUTE ENTRY	Public	2
05/04/2009	SHERIFF'S RETURN ON BW "MATERIAL WITNESS"	Public	2
05/05/2009	ORDER FOR HEARING	Public	1
05/05/2009	REQUEST FOR PRODUCTION OF DOCUMENTS	Public	9
05/06/2009	ORDER QUASHING BW	Public	1
05/06/2009	CLERK'S MINUTE ENTRY	Public	2
05/07/2009	RETURN ON SUBPOENA, CROMMES	Public	1
05/08/2009	SHERIFF'S RETURN ON BW "MATERIAL WITNESS"	Public	2
05/11/2009	ORDER ALLOWING JURY TO SEPARATE	Public	1
05/11/2009	STIPULATION AND ORDER FOR RETURN OF EXHIBITS AND/OR UNOPENED DEPOSIT	Public	1
05/11/2009	REQUEST FOR PRODUCTION OF DOCUMENTS	Public	11
05/12/2009	ORDER PRESENTENCE SCREENING FOR DOSA	Public	2
05/12/2009	WITNESS RECORD	Public	1
05/12/2009	ORDER FOR HEARING	Public	1
05/12/2009	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2
05/12/2009	STATEMENT OF DEFENDANT ON PLEA OF GUILTY	Public	9
05/12/2009	EXHIBITS RECEIVED IN VAULT	Public	1
06/16/2009	ORDER FOR HEARING	Public	1
06/22/2009	ORDER FOR PRE-SENTENCE SCREENING OF DEFENDANT FOR DOSA	Public	2
07/17/2009	ORDER FOR HEARING	Public	1
07/31/2009	CLERK'S MINUTE ENTRY	Public	3
08/06/2009	LETTER FROM DEFENDANT	Public	8
08/07/2009	ORDER FOR HEARING	Public	1
08/24/2009	ORDER QUASHING BW	Public	1
08/24/2009	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2
08/24/2009	ORDER ESTABLISHING CONDITIONS OF RELEASE	Public	2

08/28/2009	CLERK'S MINUTE ENTRY	Public	3
08/31/2009	SHERIFF'S RETURN ON BW "MATERIAL WITNESS"	Public	2
09/01/2009	CLERK'S MINUTE ENTRY	Public	2
09/01/2009	CLERK'S MINUTE ENTRY	Public	2
09/10/2009	LETTER FROM DEFENDANT	Public	4
09/18/2009	ORDER FOR HEARING	Public	1
09/18/2009	LETTER FROM DEFENDANT	Public	6
12/01/2009	NOTICE OF MOTION	Public	2
12/01/2009	MOTION DISCHARGE COUNSEL	Public	6
12/01/2009	MEMORANDUM DISCHARGING COUNSEL	Public	33
12/01/2009	MEMORANDUM IN SUPPORT REQUEST SENTENCING	Public	17
12/01/2009	MOTION FOR SPECIFIC PERFORMANCE	Public	9
12/01/2009	DECLARATION OF GEORGE HENDRICKS	Public	6
12/01/2009	DECLARATION OF MICHAEL ALLEN	Public	9
12/01/2009	DECLARATION OF MICHAEL ALLEN	Public	11
12/01/2009	DECLARATION OF LEE PETRY	Public	5
12/04/2009	ORDER FOR HEARING	Public	1
12/18/2009	ORDER FOR HEARING	Public	4
12/21/2009	NOTICE OF MOTION	Public	3
12/29/2009	NOTICE OF MOTION RE NOTE	Public	3
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	7
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	11
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	5
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	6
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	12
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	12
12/31/2009	COPIES OF PRIOR CRIMINAL RECORDS	Public	27
12/31/2009	STIPULATION TO PRIOR RECORD	Public	3
12/31/2009	JUDGMENT & SENTENCE & WARRANT OF COMMITMENT DOC	Public	15
12/31/2009	NOTICE/ADVICE OF COLLATERAL ATTACK	Public	2
12/31/2009	ORDER FOR BIOLOGICAL SAMPLE	Public	2
01/27/2010	LETTER FROM DEFENDANT	Public	1
01/27/2010	NOTICE OF APPEAL TO COURT OF APPEALS	Public	2
01/29/2010	TRANSMITTAL LETTER COPY FILED	Public	1
02/02/2010	LETTER FROM COURT OF APPEALS	Public	1
02/05/2010	CERTIFICATION OF SERVICE BY MAIL	Public	1
02/05/2010	MOTION TO DOCKET	Public	1
02/05/2010	MOTION AND AFFIDAVIT OF INDIGENCY	Public	5
03/01/2010	ORDER OF INDIGENCY	Public	8
03/03/2010	TRANSMITTAL LETTER COPY FILED	Public	1
03/03/2010	NOTICE OF APPOINTMENT OF APPELLATE COUNSEL	Public	1
03/05/2010	LETTER FROM COURT OF APPEALS	Public	2
03/22/2010	LETTER FROM DEFENDANT	Public	6

04/12/2010	DESIGNATION OF CLERK'S PAPERS	Public	2
04/26/2010	CLERK'S PAPERS PREPARED	Public	3
04/26/2010	CLERK'S PAPERS SENT	Public	1
04/26/2010	INDIGENCY BILLING VOUCHER	Public	1
05/05/2010	LETTER FROM DEFENDANT	Public	2
06/04/2010	VERBATIM REPORT TRANS TO DIV II *05-12-09*	Restricted	
06/04/2010	VERBATIM REPORT TRANS TO DIV II *08-07-09*	Restricted	
06/04/2010	VERBATIM REPORT TRANS TO DIV II *09-18-09*	Restricted	
06/04/2010	VERBATIM REPORT TRANS TO DIV II *12-04-09*	Restricted	
06/04/2010	VERBATIM REPORT TRANS TO DIV II *12-18-09*	Restricted	
06/04/2010	VERBATIM REPORT TRANS TO DIV II *12-31-09*	Restricted	
06/07/2010	TRANSMITTAL LETTER VRP COPY FILED	Public	1
07/27/2010	LETTER FROM DEPARTMENT 7	Public	3
08/09/2010	MAIL RETURNED - UNCLAIMED	Public	3
10/13/2010	NOTICE OF MOTION TO DOCKET	Public	1
10/13/2010	MOTION FOR CRIMINAL CASE DOCUMENTS APPEAL	Public	9
10/14/2010	LETTER FROM DEPARTMENT 7	Public	1
11/10/2010	LETTER FROM DEPARTMENT 7	Public	1
11/15/2010	LETTER FROM DEPARTMENT 7	Public	2
11/15/2010	LETTER FROM DEFENDANT	Public	1
11/24/2010	LETTER FROM DEPARTMENT 7	Public	2
12/02/2010	LETTER FROM DEFENDANT	Public	

**PURCHASE COPIES****Proceedings**

Date	Judge	Dept Type	Outcome
11/03/2008 01:30 PM	CRIMINAL DIVISION 2	CD2 ARRAIGNMENT	ARRAIGNED
11/18/2008 08:30 AM	CRIMINAL DIVISION 2	CD2 PRE-TRIAL CONFERENCE	CONTINUED
12/02/2008 08:30 AM	CRIMINAL DIVISION 2	CD2 PRE-TRIAL CONFERENCE	HELD
12/02/2008 08:30 AM	CRIMINAL DIVISION 2	CD2 RETURN WITH ATTY	HELD
12/09/2008 01:30 PM	CRIMINAL DIVISION 2	CD2 BAIL HEARING	HELD
12/17/2008 08:45 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ OMNIBUS HEARING	HELD
12/30/2008 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED
01/26/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ STATUS CONFERENCE HEARING	HELD
01/26/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ REARRAIGNMENT	CONTINUED
02/05/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED/ NO COURTROOMS
02/05/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ REARRAIGNMENT	HELD
02/09/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED
03/25/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ STATUS CONFERENCE HEARING	HELD
04/02/2009 08:30 AM	CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED

04/13/2009 08:30 AM CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED
04/20/2009 08:30 AM CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED/ NO COURTROOMS
04/21/2009 08:30 AM CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ JURY TRIAL	CONTINUED/ NO COURTROOMS
04/21/2009 01:30 PM CRIMINAL DIVISION 2	CD2 BAIL HEARING-MATERIAL WITNESS	CANCELLED
04/22/2009 08:30 AM FREDERICK W. FLEMING	07 JURY TRIAL	INTERRUPTED - HEARING PENDING
05/06/2009 09:00 AM CRIMINAL DIVISION-PRESIDING JUDGE	CDPJ QUASH	HELD
05/11/2009 10:00 AM FREDERICK W. FLEMING	07 JURY TRIAL	PLEA
06/19/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
07/17/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
08/07/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
09/18/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
12/04/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
12/18/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	CONTINUED
12/31/2009 01:30 PM FREDERICK W. FLEMING	07 SENTENCING DATE	HELD

**Incidents**

Incident Number	Law Enforcement Agency	Offense Date
083050444	LAKEWOOD POLICE DEPARTMENT	10/31/2008

**Superior Court Co-Defendants**

Cause Number	Defendant
--------------	-----------

**Judgments**

Cause #	Status	Signed	Effective	Filed
<u>10-9-00002-1</u>	OPEN as of 12/31/2009	FREDERICK W. FLEMING on 12/31/2009	12/31/2009	12/31/2009

- Hearing and location information displayed in this calendar is subject to change without notice. Any changes to this information after the creation date and time may not display in current version.
- Confidential cases and Juvenile Offender proceeding information is not displayed on this calendar. Confidential case types are: Adoption, Paternity, Involuntary Commitment, Dependency, and Truancy.
- The names provided in this calendar cannot be associated with any particular individuals without individual case research.
- Neither the court nor clerk makes any representation as to the accuracy and completeness of the data except for court purposes.

Created: Thursday December 2, 2010 4:23PM

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STATE'S WITNESS LIST

DATED 01/27/09

(APPENDIX-H)

4/20 State will  
let court know  
about material  
witness warrants &  
I am out of the  
loop w/ new counsel.

um Watson.  
9034 Pacific Ave. Apt C-1  
Tacoma WA. 98444

\* Bifurcate CC issue  
Deny wr.  
suppress any audio rec.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

NO. 08-1-05203-2

Plaintiff,

vs.

LARRY DOUGLAS STOVALL

Defendant(s).

LIST OF WITNESSES

TO: LARRY DOUGLAS STOVALL, defendant. and

TO: MENG LI CHE, his/her attorney

The following is a list of witnesses in the above entitled cause for JURY TRIAL on 2/5/2009

C/I #08-038, 27  
C/O JON WALLER  
LAKEWOOD POLICE DEPT  
LAKEWOOD, WA. 98488

MONICA ADAMS  
3701 96TH ST SW  
TACOMA, WA. 98488

LAKEWOOD PD FORENSIC TECHNICIAN

LAKEWOOD, WA.

04-Pack  
03193-3  
07501711-6  
08-052  
075016 Chemo.

ANTTWAINE LAMONT KELLY (253) 627-4818  
7424 ESE WAY  
TACOMA, WA. 98405

TORY KORAN HERRON (253) 273-1743  
750 118TH ST S  
TACOMA, WA. 98444

WSP FORENSIC

TACOMA, WA.

21

25

CATLETT, JASON <sup>13</sup>  
 LAKEWOOD POLICE DEPARTMENT #173  
 083050444

CROMMES, DAVID <sup>15</sup>  
 LAKEWOOD POLICE DEPARTMENT #105  
 083050444

MARTIN, JEFFERY <sup>17</sup>  
 LAKEWOOD POLICE DEPARTMENT #121  
 083050444

MAUER, STEVE  
 LAKEWOOD POLICE DEPARTMENT #8  
 083050444

Olsen, Daroy <sup>11</sup>  
 LAKEWOOD POLICE DEPARTMENT #157  
 083050444

WALLER, JON <sup>8</sup>  
 LAKEWOOD POLICE DEPARTMENT #171  
 083050444

Dated this 27 day of January, 2009.

Mailed/Faxed/Received copy this 27  
 day of January, 2009.

To: MENG LI CHE

By: M. Dargb

GERALD A. HORNE  
 Prosecuting Attorney

By: [Signature]

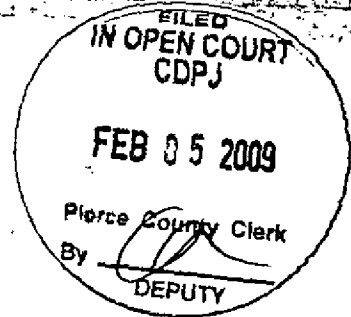
James H. Curtis  
 Deputy Prosecuting Attorney  
 Washington State Bar # 38345



DEFENSE WITNESS LIST

DATED: 02/05/2009

(APPENDIX-I)



IN THE SUPERIOR COURT FOR THE  
STATE OF WASHINGTON IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

LARRY STOVALL ,

Defendant.

NO: 08-1-05203-8

DEFENSE WITNESS LIST

CLERK'S ACTION REQUIRED

COMES NOW the defendant, by and through his attorney of record, MENG LI CHE, of the Office of Public Defense-Conflict Office, and gives notice that they may call the following witnesses:

1. Belinda Gayle Banks, 1701 E. 61<sup>st</sup>. St., Tacoma, WA 98404, 253-475-5467
2. Anttwain Kelly, 1424 ESB Way, Tacoma, WA 98405
3. William Watson, 6394 Tivoli Pl #B, Newport News, VA 23605
4. Tory Herron, 750 118<sup>th</sup> St. S, Tacoma, WA 98444, 253-273-1743

Dated this 3 day of February, 2009.

Presented by:

[Signature]  
Meng Li Che, WSBA #32364

Attorney for the Defendant

Office of Public Defense -Conflict Office

DEFENSE WITNESS LIST - 1

SUBPOENA OF ANTTWAIN L. KELLY

DATED 03/30/2009

(APPENDIX-J)

FILED  
IN COUNTY CLERK'S OFFICE

A.M. APR 01 2009 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
BY \_\_\_\_\_ DEPUTY

APR 01 2009

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

## IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

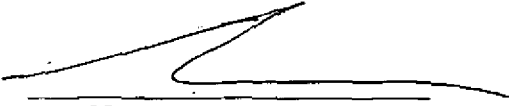
vs.

LARRY STOVAL,

Defendant.

)  
)  
) NO. 08-1-05203-8  
)  
) SUBPOENA  
) (Criminal)  
)  
)  
)TO: ANTTWAIN KELLY  
1424 ESB WAY,  
TACOMA, WA 98405

IN THE NAME OF THE STATE OF WASHINGTON, you and each of you are hereby required to appear in the Superior Court Room No. 250, Judge Ronald Culpepper at the County-City Building in Tacoma, Washington, on Thursday, the 2<sup>nd</sup> day of April, 2009 at 9:00 a.m., and give evidence in the above-entitled case on the part of the defendant.

GIVEN under my hand this 30 day of March, 2009.
  
 MENG LI CHE  
 WSBA # 32364  
 Attorney for Defendant

COPY

SUBPOENA - 1 of 1  
(Criminal)

1  
2  
3  
4  
5  
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7  
8 I HEREBY DECLARE that I subpoenaed the within named person, Antwain Kelly,  
located at 1424 ESB Way, Tacoma 98405, in Pierce County, Washington, on the 3 day of  
9 March, 2009 by personal service X abode fax Pierce County Routing or  
10 U.S. Mail. Signed under penalty of perjury of the laws of the State of Washington at  
Tacoma, Washington this 30 day of March 2009.

11  
12   
Signature

13  
14 Julie B. Scholer  
Printed Name  
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ORDER CONTINUING TRIAL  
PIERCE COUNTY SUPERIOR COURT

DATED: 02/09/2009

(APPENDIX-K)

SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY

STATE OF WASHINGTON, )  
Plaintiff )

Cause No. 08-1-05203-8

vs. )

ORDER CONTINUING TRIAL IC

Larry Stovall, )  
Defendant )

Case Age OK Prior Continuances 2

This motion for continuance is brought by ☐ state ☐ defendant ☐ court.  
☐ upon agreement of the parties pursuant to CrR 3.3(f)(1) or  
☐ is required in the administration of justice pursuant to CrR 3.3(f)(2) and the defendant will not be prejudiced in his or her defense or  
☐ for administrative necessity.

Reasons: See Subpoenaed witnesses for today (civilians), none appeared & time needed to perform additional research (De. vacation 3/12-3/19) (TT vacation 3/19-23). DC assigned out to trial of another case.  
☐ RCW 10.46.085 (child victim/sex offense) applies. The Court finds there are substantial and compelling reasons for a continuance and the benefit of postponement outweighs the detriment to the victim.

IT IS HEREBY ORDERED THE DEFENDANT SHALL BE PRESENT AND REPORT TO:

	DATE	TIME	COURT ROOM	ID NUMBER
<input checked="" type="checkbox"/> OMNIBUS HEARING	<del>3/25/09</del>	8:45	CURT	28
<input checked="" type="checkbox"/> STATUS CONFERENCE HEARING				
<input type="checkbox"/> TRIAL READINESS STATUS CONFERENCE	3/25	8:30 am	CURT	
THE CURRENT TRIAL DATE OF: <u>2/4/09</u>	IS CONTINUED TO: <del>3/25/09</del> @ 8:30 am Room <u>200</u> <u>4/2/09</u>			

Expiration date is: 5-2-09 (Defendant's presence not required) TFT days remaining: 30

DONE IN OPEN COURT this 9 day of Feb, 2009

Defendant

Judge

Attorney for Defendant/Bar # 32369 CHE

Prosecuting Attorney/Bar # CURTIS

I am fluent in the \_\_\_\_\_ language, and I have translated this entire document for the defendant from English into that language. I certify under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Interpreter/Certified/Qualified

\_\_\_\_\_  
Court Reporter

MATERIAL WITNESS BENCH WARRANT

PIERCE COUNTY SUPERIOR COURT

ANTTWIN L. KELLY

DATED: 04/02/2009

(APPENDIX-L)



FILED  
IN COUNTY CLERK'S OFFICE

A.M. APR - 2 2009 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

LARRY STOVAL,

Defendant.

CAUSE NO. 08-1-05203-8

MATERIAL WITNESS

BENCH WARRANT

TO ALL PEACE OFFICERS IN THE STATE OF WASHINGTON, GREETINGS:

WHEREAS, an Order of Court has been entered directing the Clerk of the above-entitled Court to issue a warrant for the arrest of the material witness, ANTTWAIN KELLY

SEX MALE; RACE; BLACK; EYES BROWN; WEIGHT 260; HEIGHT 5'11"; DATE OF BIRTH 03-15-1970; POLICE AGENCY LAKEWOOD POLICE DEPARTMENT; DATE OF VIOLATION; 10-31-08 POLICE AGENCY CASE NO.; 083050444; OPERATOR'S LICENSE NO. KELLYAL305DN; STATE WA; EMPLOYER'S OR REFERENCE ADDRESS: 1424 ESB WAY, TACOMA, WA 98405

You are hereby commanded to forthwith arrest the said to be held as a material witness in the above-entitled cause, and bring him into court to be dealt with according to law. Bail is fixed at

*Set in open court*WITNESS THE HONORABLE *Susan M. Clark*  
Judge of said Court and the seal thereof affixed

1  
2 This \_\_\_\_\_ day of **APR 02 2009**, 200

3 KEVIN STOCK  
4 Clerk of the Superior Court

5 By \_\_\_\_\_ Deputy

6 STATE OF WASHINGTON )

: ss.

7 County of Pierce )

8 This is to certify that I received the within Bench warrant on the \_\_\_\_\_ day of \_\_\_\_\_,  
9 20\_\_\_\_\_, and by virtue thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I arrested the within  
10 named defendant, \_\_\_\_\_ and now have him in full custody.

11 \_\_\_\_\_  
12 PEACE OFFICER  
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SCANNED

6296

CJC

## COMPLAINT FORM

A B C D


 STATE OF WASHINGTON  
 COMMISSION ON JUDICIAL CONDUCT

P.O. Box 1817 Olympia, WA 98507 (360) 753-4585 Fax (360) 586-2918

For Office Use Only

Inq. #

13313

CONFIDENTIAL

This form is designed to provide the Commission with information required to make an initial evaluation of your complaint, and to begin an investigation of your allegations. Please read the accompanying materials on the Commission's function and procedures before you complete this form.

- ▶ Materials filed in the Commission's confidential records cannot be duplicated for you.
- ▶ If you need to maintain a record, keep a copy.
- ▶ Do not send original records you wish to keep without making prior arrangements for their loan, safe delivery and return.

**PLEASE TYPE OR PRINT ALL INFORMATION**Your Name: LARRY D. STOVALLAddress: P.O. BOX 900City: SHELTON State: WA Zip: 98584Daytime telephone: N/A Evening telephone: N/AName of Judge/Commissioner: FREDERICK W. FLEMINGCounty: OF PIERCECourt level: ☐ Municipal ☐ District ☒ Superior ☐ Appeals ☐ SupremeCase Name and Docket Number, if applicable: STATE VS. STOVALL 08-1-05203-8Attorneys involved: DPA JAMES H. CURTIS AND SHANE M. SILVERTHORN

If this complaint relates to a trial or other court proceeding, has it been or will it be appealed?

☒ Yes ☐ No ☐ Not applicable

Please provide a brief summary of the unethical actions or behaviors that you believe were committed by this judge or commissioner. (If you wish, you may refer to the Code of Judicial Conduct which you can find in the Washington Court Rules or on our website at [www.cjc.state.wa.us](http://www.cjc.state.wa.us).)

Judge Fleming allowed attorneys to make a false presentation about DOSA phase to obtain guilty plea from defendant LARRY O. STORVALL May 12, 09.

Please list the dates of alleged misconduct: May 12, 09, June 14, 09, June 22, 09, July 17, 09, Aug 07, 09 and Sept 18, 09, Dec 4, 09, Dec 18, 09 and December 31, 2009. Continues for DOSA screening, then denied.

**SUPPORTING FACTS:**

Please state specific facts to support your allegation(s) of judicial misconduct. Include all pertinent dates, and name(s) of witnesses, if known. Attach copies of any documents which may support your position. You may attach additional pages if needed.

On May 12, 2009, Judge Fleming failed to instruct his Judicial Assistant, Cavanne Martin, to file my Pro Se Motion, memorandum to proceed as Co-Counsel or re-instate Pro Se status, in the Court file and noted it to the Case docket, in State vs. Stovall 08-1-05203-8. Also, On Dec 4, 09, Dec 18, 09 and on December 31, 2009, Judge Fleming refused to address my Pro Se Motion To Discharge Shame M. Silverthorn from my case, do to intent action with the state, deputy prosecutor, James H. Curtis. See SUPPLEMENTAL COMPLAINT REPORT.

Signed: Larry O. Stovall 01/30/10 Date: 01/30/2010

Send completed form to: Commission on Judicial Conduct, PO Box 1817, Olympia, WA 98507

Note: Due to confidentiality requirements complaints cannot be accepted via e-mail.

[If you have a disability which requires assistance in filing a complaint or you would like this form in an alternate format, such as Braille, large print or audio tape, contact this office at (360) 753-4585 voice or TDD. We will take reasonable steps to accommodate your needs.]

MATERIAL WITNESS BENCH WARRANT

PIERCE COUNTY SUPERIOR COURT

TORY HERRON

DATED: 04/02/2009

(APPENDIX-M)

959 4/3/2009 268898

FILED  
IN COUNTY CLERK'S OFFICE

A.M. APR - 2 2009 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
BY  DEPUTY

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

## IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

LARRY STOVAL,

Defendant.

CAUSE NO. 08-1-05203-8

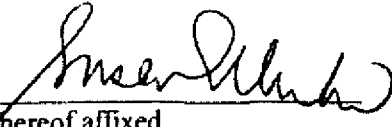
MATERIAL WITNESS  
BENCH WARRANT

TO ALL PEACE OFFICERS IN THE STATE OF WASHINGTON, GREETINGS:

WHEREAS, an Order of Court has been entered directing the Clerk of the above-entitled Court to issue a warrant for the arrest of the material witness, TORY HERRON AKA: TROY HERRON

SEX MALE; RACE; BLACK; EYES BROWN; WEIGHT 220; HEIGHT 6'; DATE OF BIRTH 09-27-1976; POLICE AGENCY LAKEWOOD POLICE DEPARTMENT; DATE OF VIOLATION; 10-31-08 POLICE AGENCY CASE NO.; 083050444; OPERATOR'S LICENSE NO. HERROTK24107; STATE WA; EMPLOYER'S OR REFERENCE ADDRESS: 750 118<sup>TH</sup> ST. SO, TACOMA, WA 98444.

You are hereby commanded to forthwith arrest the said to be held as a material witness in the above-entitled cause, and bring him into court to be dealt with according to law. Bail is fixed at

\$ Set in open courtWITNESS THE HONORABLE   
Judge of said Court and the seal thereof affixed

APR 02 2009

This \_\_\_\_\_ day of \_\_\_\_\_, 200

KEVIN STOCK  
Clerk of the Superior Court

By \_\_\_\_\_

Deputy

STATE OF WASHINGTON )

: ss.

County of Pierce )

This is to certify that I received the within Bench warrant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and by virtue thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I arrested the within named defendant, \_\_\_\_\_ and now have him in full custody.

\_\_\_\_\_  
PEACE OFFICER

MATERIAL WITNESS BENCH WARRANT

PIERCE COUNTY SUPERIOR COURT

BALINDA G. BANKS

DATED: 04/02/2009

(APPENDIX-N)



FILED  
IN COUNTY CLERK'S OFFICE

A.M. APR - 2 2009 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, County Clerk  
DEPUTY

## IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

## IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,

Plaintiff,

vs.

LARRY STOVAL,

Defendant.

CAUSE NO. 08-1-05203-8

MATERIAL WITNESS  
BENCH WARRANT

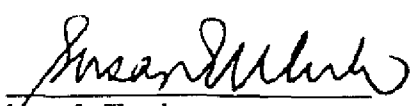
TO ALL PEACE OFFICERS IN THE STATE OF WASHINGTON, GREETINGS:

WHEREAS, an Order of Court has been entered directing the Clerk of the above-entitled Court to issue a warrant for the arrest of the material witness, BELINDA GAYLE BANKS

SEX; FEMALE; RACE; WHITE; EYES: BROWN; WEIGHT 160; HEIGHT 5'6"; DATE OF BIRTH 07-06-65; POLICE AGENCY LAKEWOOD POLICE DEPARTMENT; DATE OF VIOLATION: 10-31-08  
POLICE AGENCY CASE NO.: 083050444; OPERATOR'S LICENSE NO. BANKSBG355MF; STATE WA; EMPLOYER'S OR REFERENCE ADDRESS:  
1701 E. 61<sup>ST</sup> STREET, TACOMA, WA 98404.

You are hereby commanded to forthwith arrest the said to be held as a material witness in the above-entitled cause, and bring him into court to be dealt with according to law. Bail is fixed at

\$ Set in open court

WITNESS THE HONORABLE   
Judge of said Court and the seal thereof affixed

1959 4/3/2009 260086

APR 02 2009

This \_\_\_\_\_ day of \_\_\_\_\_, 200

KEVIN STOCK  
Clerk of the Superior Court

By \_\_\_\_\_

Deputy

STATE OF WASHINGTON )

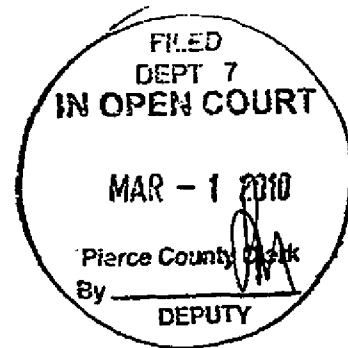
: ss.

County of Pierce )

This is to certify that I received the within Bench warrant on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, and by virtue thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I arrested the within named defendant, \_\_\_\_\_ and now have him in full custody.

PEACE OFFICER

ORDER OF INDIGENCY  
PIERCE COUNTY SUPERIOR COURT  
DATED: 03/01/2010  
(APPENDIX-O)



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON,	)	
	)	
Plaintiff,	)	NO. 08-1-05203-8
vs.	)	
	)	
LARRY D. STOVALL,	)	ORDER OF INDIGENCY
	)	
Defendant.	)	

**THIS MATTER** having come on regularly before the undersigned judge upon the motion of the defendant for an order authorizing the defendant to seek review at public expense and the Court having considered the records and files herein, now therefore,

**IT IS HEREBY ORDERED** that the defendant shall be allowed  
( x ) To appeal from the certain judgment and sentence and every part thereof in the above-entitled cause, entered on DECEMBER 31, 2009, at public expense -- to include the following:

- 1.) All filing fees;
- 2.) Attorney fees and the cost of preparation of briefs (including copying costs);

ORDER OF INDIGENCY  
AUTHORIZING THE DEFENDANT TO  
SEEK REVIEW AT PUBLIC EXPENSE

3.) Costs of preparation of the statement of facts which shall contain the verbatim report of the following proceedings, all of which are necessary for review:

( X )	Pre-Trial Hearings	Date(s)	May 11, 2009 to Dec 31, 2009
		Judge	Fleming, Dept. 7
( )	Trial (all proceedings except voir dire and opening statements)	Date(s)	_____
		Judge	_____
( )	Hearing on Post-Trial Motions	Date(s)	_____
		Judge	_____
( X )	Sentencing Hearing	Date(s)	12/31/09
		Judge	Fleming, Dept 7
( X )	Other	Any other portions of the record that is deemed necessary by appellate counsel	

4.) Cost of a copy of the above record for the joint use of defendant's counsel and the prosecuting attorney; and

5.) Costs of the preparation of necessary clerk's papers.

**IT IS FURTHER ORDERED** that counsel on appeal, or his/her representative, is authorized to remove the clerk's file from the Clerk's Office for the purpose of reproducing clerk's papers and designating the record for review.

**AND IT IS FURTHER ORDERED** that trial counsel is allowed to withdraw and that counsel on appeal be appointed by the Court of Appeals pursuant to RAP 15.2. Payment for expenses of this appointment is authorized under contract with the Office of Public Defense.

ORDER OF INDIGENCY  
AUTHORIZING THE DEFENDANT TO  
SEEK REVIEW AT PUBLIC EXPENSE

Department of Assigned Counsel  
949 Market Street, Suite 334  
Tacoma, Washington 98402-3696  
Telephone: (253) 798-6062

Co-defendants, if any, are listed below:

Case Name

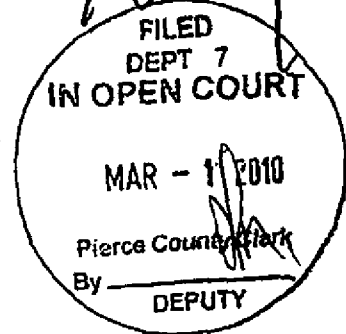
Cause Number

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DONE IN OPEN COURT this 15<sup>th</sup> day of March 2010.

JUDGE



Presented by:

MICHAEL KAWAMURA, WSBA# 17202

Attorney for the Defendant

on behalf of  
appointed trial counsel

ORDER OF INDIGENCY  
AUTHORIZING THE DEFENDANT TO  
SEEK REVIEW AT PUBLIC EXPENSE

COMPLAINT FORM  
COMMISSION ON JUDICIAL CONDUCT

DATED: 01/30/2010

(ATTACHMENT-A)

NO ATTACHMENT INCLUDED

GRIEVANCE AGAINST SHANE M. SILVERTHORN  
FILED WITH WASHINGTON STATE BAR ASSOCIATION  
DATED: 11/03/2009  
(ATTACHMENT-B)



RECEIVED

GRIEVANCE AGAINST A LAWYER NOV 03 2009



WSBA OFFICE OF  
DISCIPLINARY COUNSEL

Return your completed form to:

Office of Disciplinary Counsel  
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, WA 98101-2539

GENERAL INSTRUCTIONS

- Read our information sheet *Lawyer Discipline in Washington* before you complete this form, particularly the section about waiving confidentiality.
- Type or write legibly but do not use the back of any page.
- Do not fax your form to us or send your form to us via the Internet.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.

INFORMATION ABOUT YOU

STOWALL, LARRY D.  
Last Name, First Name  
910 TALOMA AVE SO.  
Address  
TALOMA, WA 98402  
City, State, and Zip Code  
1  
Telephone Number (Day/Evening)

Alternate address/phone where we can reach you

INFORMATION ABOUT THE LAWYER

SILVERTHORN, SHANE M.  
Last Name, First Name  
4008 So. Pine St.  
Address  
TALOMA, WA 98409  
City, State, and Zip Code  
(253) 274-9900 fax (253) 779-8732  
Telephone Number

INFORMATION ABOUT YOUR GRIEVANCE

Describe your relationship to the lawyer who is the subject of your grievance by checking the box that best describes you:

☒ Client  
☐ Former Client  
☐ Opposing Party

☐ Opposing Counsel  
☐ Judicial  
☐ Other: \_\_\_\_\_

Is there a court case related to your grievance? ☒ YES ☐ NO

If yes, what is the case name and file number, and who is the lawyer representing you?

STATE VS. STOWALL 08-1-05203-8, I am  
represented by Shane M. Silverthorn.

## Statement of Facts

### The Case

On April 21, 2009, Counsel Shane M. Silverthorn appeared before the Court on record as stand by Counsel, in State vs Stovall, Pierre County Criminal Case 08-1-05203-8.

On April 22, 2009, Counsel Shane M. Silverthorn appeared in open Court set for trial before Judge Frederick W. Fleming with me (Stovall).

Judge Fleming convince me to turn the case ~~over~~ over to Counsel Silverthorn for trial and professional representation.

Judge Fleming granted Silverthorn a Continuance from April 22, 2009 until May 12, 2009 to prepare for trial, interview witnesses, etc.

Defense Counsel Shane M. Silverthorn interviewed me and learned that the informant was a friend in my case and that she got busted Oct 31, 08 between 6:00 am & 9:00 am, for delivery of crack cocaine by the Lakewood Police and at 11:00 am that morning set me up.

Page 2 of 49

I told Counsel Shane M. Silverthorn that the informant called me on my cell and identified herself and told me she had a \$100.00 dollars, and at that time I handed the phone to her boyfriend Kelly while on a Tacoma bus on Hosmer and 84th St.

That while I was on the bus, I received another call from William Watson, who was ~~at~~ at the bus stop we were just at to pick me up in front of the EconoLog Motel, and that he told him to pick me up at or by the Nalve Village bus stop two blocks up the street on Hosmer.

That when the informant Belinda Gayle Banks who was with us for more than two days showed up at a bus stop on Hosmer, that she told us that she got busted for a delivery to an under cover cop that they gave her a chance to work off the bust by setting up a sting and that police were watching us and that she needed to get drugs off her person, the police didn't know she had on her still.

That the informant gave the drugs to her boyfriend Kelly and told him to hide them to get later.

That she told us she ~~was~~ couldn't afford to go to jail because she got the drugs on credit from a gang member and something would happen if she was not around to pay him his money.

That she told police she could get drugs from me (Stover).

That she took only one rock of cocaine back to police. (0.6 gms)

It also told Counsel Shane M. Silverthorn that she was wearing my coat and was in and out of the motel all night getting high turning tricks, using my Key Code Card to come in the room.

I informed Mr Counsel that right when the informant left witnesses William Watson and his friend Tory Herron pulled up in my white truck and picked me and the informant's boyfriend Antwain L. Kelly, who once saw police, placed the pill bottle full of drugs in my truck glove box throw a hole in the dashy and went to the back of the truck. October 31, 2008, at 11:15 am to 11:30 am. Right below Lowe's parking lot. (HOSMER) St.

That police read no rights to no one, and had us walk up the grassy hill to Lowe's Lot to stand, because concerns about their under cover situation.

After 30 minutes, they release Watson, Kelly and Herron, and arrested me and drove me to Pierce County Jail.

April 22, 2001

- Court Order -  
Pre-Trial Procedures

Counsel Shane M. Silverthorn was granted time to interview defense and state witnesses, October 22, 2009.

Counsel Shane M. Silverthorn only interviewed William Watson and Tony Herron in the trial courtroom minutes before a 3.5 hearing and allowing them to leave with out their testimony in defense of my case, May 12, 2009,

Counsel Silverthorn refuse to allow me to testify at my 3.6 hearing, claiming he did not make a brief, or draft the Declaration / Affidavit in support of the Motion to Suppress I filed before he took over the case, minutes before trial.

Never did Counsel interview the informant or her boyfriend Antwain Kelly to prepare for trial. My star witnesses, for my Suppression Hearing 3.6 May 12, 2009.

Page 6 - of - 9

Counsel Silverthorn effectively stop my intent to proceed to trial by his in concert action with the state prosecutor Jane H. Curtis, and rendered my defense dead.

A review of the state's case, revealed that the police moved the location of the incident from one bus stop to another and with out my witnesses I could not prove otherwise.

Counsel Silverthorn's actions forced me in to a plea deal May 12, 2009, for 7 years with DOSA.

After the plea deal, Counsel Silverthorn and the prosecutor started laughing about there may be no DOSA between the two of them.

On May 12, 09 Judge Fleming ordered DOSA screening for me, however Attorney Jane M. Silverthorn has not make contact with agent DOSA screeners.

On August 2009, I wrote a letter to Shane M. Silverthorn to close the deal with the state and call for DOSA screening. See Case Notes (APPENDIX-A)

Page 7 of 9

This Case was Continued to 6/19/09  
 for Sentencing to DOSA, again 7-17-09,  
 for Sentencing for DOSA, again 08/07/09,  
 for Sentencing for DOSA, again 09/18/09  
 for Sentencing for DOSA, however Counsel  
 Shane M. Silverthorn has not made contact  
 with DOSA screeners, to date October 31, 09.

Judge Fleming stated Sept 18, 2009, that  
 if Shane M. Silverthorn has not gotten me  
 screened by December 4, 2009, that he was  
 going to impose a sentence of 7 years with out  
 DOSA. All of the above is a matter of record.

On the 31 day of October, I decided  
 to investigate the reason why DOSA screeners has  
 not come to screen me for DOSA, and if DOSA  
 budget cuts has effect DOSA's future, based on  
 statements made by Judge Fleming and his  
 concerns for DOSA future, and present situation  
 in order to prevent DOSA.

I will supplement this action as soon as  
 possible. As Counsel Silverthorn is allowing  
 the Court to think there is no more DOSA  
 period.



Explain your grievance in your own words. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach copies (not your originals) of any relevant documents.

Counsel Shane M. Silverthorn  
came seen me once at Pierce County  
Jail, and called me once.

Counsel Silverthorn never consulted  
me about my case, as to my witnesses  
knowing I wanted to go to trial  
his action stopped me from going  
to trial, because he left me with  
no support with out my witnesses.  
This forced me to take a plea  
deal.

The state moved the incident location  
only my witnesses are aware were every  
thing happened, even the informant.  
The informant was a defense witness  
not a state.

Who was Shane M. Silverthorn  
working for? The Defense or  
the state. His actions violated 1.3,  
1.4, 8.4(a) throw (i)

#### AFFIRMATION

I affirm that the information I am providing is true and accurate to the best of my knowledge.

Signature: Larry Douglas, State Date: November 1, 2009

GRIEVANCE AGAINST JAMES H. CURTIS  
FILED WITH WASHINGTON STATE BAR ASSOCIATION

DATED: 11/09/2009

(ATTACHMENT-C)



GRIEVANCE AGAINST A LAWYER



NOV 09 2009

WSBA OFFICE OF  
DISCIPLINARY COUNSEL

Return your completed form to:

Office of Disciplinary Counsel  
Washington State Bar Association  
1325 Fourth Avenue, Suite 600  
Seattle, WA 98101-2539

GENERAL INSTRUCTIONS

- Read our information sheet *Lawyer Discipline in Washington* before you complete this form, particularly the section about waiving confidentiality.
- Type or write legibly but do not use the back of any page.
- Do not fax your form to us or send your form to us via the Internet.
- If you have a disability or need assistance with filing a grievance, call us at (206) 727-8207. We will take reasonable steps to accommodate you.

INFORMATION ABOUT YOU

STOWALL, LARRY D.  
Last Name, First Name  
910 TACOMA AVE SO  
Address  
TACOMA, WA 98402  
City, State, and Zip Code  
1  
Telephone Number (Day/Evening)

INFORMATION ABOUT THE LAWYER

CURTIS JAMES, H. BAR# 36845  
Last Name, First Name  
930 TACOMA AVE So Room # 109  
Address  
TACOMA, WA 98402-2171  
City, State, and Zip Code  
(253) 798-7446  
Telephone Number

Alternate address/phone where we can reach you

INFORMATION ABOUT YOUR GRIEVANCE

Describe your relationship to the lawyer who is the subject of your grievance by checking the box that best describes you:

Client  
Former Client  
Opposing Party

Opposing Counsel  
Judicial  
Other: \_\_\_\_\_

Is there a court case related to your grievance? ☒ YES ☐ NO

If yes, what is the case name and file number, and who is the lawyer representing you?

STATE VS. LARRY DOUGLAS STOWALL 08-1-05203-8  
PIERCE COUNTY CRIMINAL CASE. REPRESENTED  
BY SHANE M SILVERTHORN BAR# 28223 Attorney at Law.

Updated April 2007

Explain your grievance in your own words. Give all important dates, times, places, and court file numbers. Attach additional pages, if necessary. Attach copies (not your originals) of any relevant documents.

JAMES H. CURTIS is the prosecuting attorney in the state vs. Stora 08-1-05203-8 of Pierce County Superior Court, Judge Fleming.

On January 26, 09, James H. Curtis for the state of Washington entered the case replacing Deputy prosecutor Maureen Goodman.

On May 12, 2009 Defense Counsel Silverthorn and Deputy Prosecutor James H. Curtis forced me in to a plea agreement by working in concert with one another to obtain their goal. The plea. Judge Fleming ordered DOST screening based on the plea for 7 years and DOST May 12, 09. However, James H. Curtis states on the record in open court agreeing to DOST, but off the record both attorneys starting laughing, talking about there will be no more DOST, because of state Budget cuts. Thus, obtaining this plea agreement by deception and fraud. Judge Fleming ordered DOST screening three times but no one has called anyone to have the screening done.

#### AFFIRMATION

I affirm that the information I am providing is true and accurate to the best of my knowledge.

Signature: Larry Stora Date: November 5, 2009

1  
2  
3 **SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY**

4 State of Washington

January 11, 2011

5 Plaintiff

6 vs.

No.: 08-1-05203-8

LARRY DOUGLAS STOVALL

Court of Appeals No.: 40262-9

7 Defendant

8 CLERK'S PAPERS PER  
9 REQUEST OF APPELLANT  
10 TO THE  
11 COURT OF APPEALS,  
DIVISION II

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2  
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7  
8 **SUPERIOR COURT OF WASHINGTON FOR PIERCE COUNTY**

9 State of Washington

10 Plaintiff

January 11, 2011

11 vs.

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12 LARRY DOUGLAS STOVALL

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14 CLERK'S PAPERS PER  
15 REQUEST OF APPELLANT  
TO THE  
COURT OF APPEALS,  
DIVISION II

16 HONORABLE FREDERICK W. FLEMING

17 Trial Judge

18 KATHLEEN PROCTOR  
19 946 COUNTY CITY BLDG  
FELONY DIVISION  
20 TACOMA, WA 98402

21 ATTORNEY FOR RESPONDENT  
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# PIERCE COUNTY SUPERIOR COURT

**January 11, 2011**

**Transmittal Letter**

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Case Name: STATE OF WASHINGTON VS. LARRY D. STOVALL

County Cause Number: 08-1-05203-8

Court of Appeals Case Number:

✓ Personal Restraint Petition (PRP) Transfer Order

Notice of Appeal/Notice of Discretionary Review

(Check All Included Documents)

Judgment & Sentence/Order/Judgment

Signing Judge: \_\_\_\_\_

Motion To Seek Review at Public Expense

Order of Indigency

Filing Fee Paid - Invoice No: \_\_\_\_

Affidavit of Service

Clerk's Papers/Exhibits - No. of Volumes: \_\_\_\_\_

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